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Financing of the United Nations Observer Mission in Georgia

Performance report on the budget of the United Nations Observer Mission in Georgia for the period from 1 July 2007 to 30 June 2008

Report of the Secretary-General

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Summary

The present report contains the performance report on the budget of the United Nations Observer Mission in Georgia (UNOMIG) for the period from 1 July 2007 to 30 June 2008.

The total expenditure for UNOMIG for that period from has been linked to the Mission's objective through a number of results-based-budgeting frameworks, grouped by components, namely, substantive civilian, military, United Nations police and support.

Performance of financial resources

(Thousands of United States dollars. Budget year is from 1 July 2007 to 30 June 2008.)

Category	Apportionment	Expenditure	Variance	
			Amount	Percentage
Military and police personnel	4 775.5	4 401.8	373.7	7.8
Civilian personnel	20 102.2	18 536.3	1 565.9	7.8
Operational costs	10 132.1	9 839.2	292.9	2.9
Gross requirements	35 009.8	32 777.3	2 232.5	6.4
Staff assessment income	2 372.9	2 208.4	164.5	6.9
Net requirements	32 636.9	30 568.9	2 068.0	6.3
Voluntary contributions in kind (budgeted)	—	—	—	—
Total requirements	35 009.8	32 777.3	2 232.5	6.4

Human resources incumbency performance

Category	Approved ^a	Actual (average)	Vacancy rate (percentage) ^b
Military contingents	135	131	3.0
United Nations police	20	16	20.0
International staff	116	98	15.5
National staff	191	183	4.2
United Nations Volunteers	1	1	—
Temporary positions ^c			
National staff	1	—	100

^a Represents the highest level of approved strength.

^b Based on monthly incumbency and approved monthly strength.

^c Funded under general temporary assistance.

The actions to be taken by the General Assembly are set out in section V of the present report.

I. Introduction

1. The budget for the maintenance of the United Nations Observer Mission in Georgia (UNOMIG) for the period from 1 July 2007 to 30 June 2008, set out in the report of the Secretary-General of 26 February 2007 (A/61/764 and Corr.1), amounted to \$35,528,900 gross (\$33,156,000 net). It provided for 135 military observers, 20 United Nations police personnel, 115 international staff, 191 national staff and 1 United Nations Volunteer.

2. On the basis of the recommendation of the Advisory Committee on Administrative and Budgetary Questions, in paragraph 25 of its report (A/61/852/Add.10), the General Assembly, by its resolution 61/283, appropriated an amount of \$35,009,800 gross (\$32,636,900 net) for the maintenance of the Mission for 2007/08. The total amount has been assessed on Member States.

II. Mandate performance

A. Overall

3. The mandate of UNOMIG was established by the Security Council in its resolution 858 (1993), expanded in its resolution 937 (1994) and extended by the Council in subsequent resolutions. The mandate for the performance period was provided by the Council in its resolutions 1752 (2007), 1781 (2007) and 1808 (2008).

4. The Mission is mandated to help the Security Council achieve an overall objective, namely, the implementation of the 1994 Agreement on a Ceasefire and Separation of Forces and the advancement of a comprehensive political settlement of the Georgian-Abkhaz conflict.

5. Within this overall objective, the Mission has, during the reporting period, contributed to a number of accomplishments by delivering related key outputs, shown in the frameworks below, for the substantive civilian, military, United Nations police and support components.

6. The present report assesses actual performance against the planned results-based-budgeting frameworks set out in the 2007/08 budget. In particular, the report compares the actual indicators of achievement, that is, the extent to which actual progress has been made during the period against the expected accomplishments, with the planned indicators of achievement, and the actually completed outputs with the planned outputs.

B. Budget implementation

7. Although the two sides participated in three direct meetings during the reporting period, the continued suspension of the dialogue between the parties since July 2006 precluded the attainment of planned indicators of achievement and resulted in the non-completion of some outputs related to progress towards the political settlement of the Georgian-Abkhaz conflict. Notwithstanding the impasse, the Mission completed its planned outputs related to increased respect for human rights throughout Abkhazia. In connection with compliance with the 1994 Moscow Agreement on a Ceasefire and Separation of Forces, the military component

conducted a higher number than planned patrols in the Gali and Zugdidi sectors and in the Kodori Valley, in the light of additional operational requirements for intensified observation and monitoring activities within the sectors, and was able, for the first time, to conduct patrols in the upper Kodori Valley throughout most of the winter months. UNOMIG also completed its planned outputs related to the enhancement of law and order in the Gali and Zugdidi districts through the conduct of patrols, advice to and monitoring of law enforcement agencies and the training of local police personnel. Progress towards the effective and efficient logistical, administrative and security support to the Mission was made through the achievement of planned indicators, which resulted in service improvements in communications, fuel management and the disposal of assets. Additional requirements resulted from the establishment of two observation posts and four forward patrol bases (on a temporary basis) and the upgrading of the Adjara team base in the Kodori Valley and higher costs for outsourced maintenance services.

8. During the performance period, the Mission maintained close cooperation with the Collective Peacekeeping Force of the Commonwealth of Independent States (CIS) through joint patrols in the Kodori Valley and regular meetings and daily operational contacts.

9. The Mission also continued to provide assistance and support to both sides and to contribute to rehabilitation projects in the conflict zone. The Mission also continued to seek other opportunities, including through unilateral and joint initiatives by the parties, and to pursue an integrated approach in the implementation of its mandate through complementary activities, cooperation and coordination with United Nations agencies, funds and programmes and other external partners in improving basic social and economic conditions in the conflict zone.

C. Regional mission cooperation

10. The Regional Aviation Safety Office at the United Nations Logistics Base in Brindisi, Italy, provided aviation safety oversight for UNOMIG during the reporting period.

D. Mission support initiatives

11. With a view to enhancing logistical, administrative and security support to the Mission, improvements in the delivery of services were achieved during the reporting period. Commercial communications costs were reduced by 31 per cent, as a result of the centralization of support, the optimization of the internal satellite network and the optimum use of locally leased lines. In addition, improvement in communications services was achieved through the implementation of intersector conferencing and the implementation of digital enhanced cordless telecommunications capabilities in all mission offices. Furthermore, fuel management was improved through the installation of the fuel log system in most of the Mission's vehicles. The asset disposal process was also improved through the reduction in the interval between write-off and disposal.

E. Results-based-budgeting frameworks

Component 1: substantive civilian

12. As detailed in the frameworks, during the reporting period the Mission continued to support the process aimed at the political settlement of the Georgian-Abkhaz conflict, the safe, secure and dignified return of refugees and internally displaced persons to their places of previous permanent residence in Abkhazia, Georgia, and increased respect for human rights throughout Abkhazia, particularly in the Gali district. The component covered activities in the areas of political and civil affairs and human rights. The main priority during the 2007/08 period was on the engagement of the parties in direct dialogue on substantive issues, economic cooperation, confidence-building measures and humanitarian issues, monitoring and protection of human rights in Abkhazia. However, most of the planned indicators were not achieved due to the suspension of the dialogue between the parties since July 2006. Notwithstanding, the sides held three direct meetings with the facilitation of the Mission and participated in one high-level meeting of the Group of Friends in Geneva. Furthermore, the activities of the Human Rights Office covered the monitoring of the human rights situation throughout Abkhazia, especially on the prevention of human rights violations, the provision of legal advisory services to the local population and the monitoring of court trials and detention facilities. In addition, the Human Rights Office implemented capacity-building projects and other grass-roots initiatives for the local population, including for disadvantaged groups in isolated areas.

Expected accomplishment 1.1: progress towards the political settlement of the Georgia-Abkhaz conflict

<i>Planned indicators of achievement</i>	<i>Actual indicators of achievement</i>	
Conclusion of agreements between parties on security guarantees, return of internally displaced persons and refugees, economic cooperation and confidence-building measures	No agreements were concluded owing to the suspension of the dialogue between the parties in July 2006	
Engagement of parties in direct dialogues through 3 meetings on substantive political issues	Achieved. Three direct meetings of the parties were held in Sukhumi in October 2007 and May 2008 and in Sweden in June 2008	
<i>Planned outputs</i>	<i>Completed (number or yes/no)</i>	<i>Remarks</i>
4 reports of the Secretary-General to the Security Council	4	Reports

Facilitation of and participation in 7 high-level meetings of the Group of Friends of the Secretary-General held outside Georgia under the chairmanship of the Under-Secretary-General for Peacekeeping Operations, with the participation of the parties to the conflict, as part of the United Nations-led peace process	1	Meeting in Geneva in February 2008 with the participation of the parties
	3	Meetings of the Group of Friends with the participation of the Special Representative of the Secretary-General and without the participation of the parties in Berlin in September 2007 and June 2008 and in Oslo in December 2007
		The planned output should have read 3 high-level meetings
Monthly consultations with the Group of Friends in Tbilisi, 4 consultations in New York and 5 consultations in the capitals of the Member States constituting the Group of Friends in support of the United Nations-led peace process	21	Meetings, comprising 13 in Tbilisi, 5 in the capitals of Member States of the Group of Friends, 2 briefings in New York and 1 briefing in Brussels
Daily meetings with the parties in Tbilisi and Sukhumi to promote the United Nations-led peace process	250	Meetings on a weekly or daily basis
		The lower output resulted from the suspension of the dialogue between the parties in July 2006. Meetings were held on the basis of the evolving situation
Facilitation of 5 regional meetings of the parties on substantive political issues	No	The non-completion of the output was due to the suspension of the dialogue between the parties and the unwillingness of one of the parties to discuss substantive political issues
Chairing and facilitation of 4 meetings of the parties within the Geneva Task Force dealing with political and security matters	No	The non-completion of the output resulted from the suspension of the dialogue between the parties in July 2006
Organization of and participation in 2 international experts' meetings on substantive political issues and international security guarantee mechanisms	No	The non-completion of the output was owing to the fact that, despite the ongoing offer, assistance by experts was not requested by the parties to the conflict
Chairing of 6 meetings of the Coordinating Council on security matters, on the return of refugees and internally displaced persons and on socio-economic issues	No	The non-completion of the output resulted from the suspension of the dialogue between the parties in July 2006
Facilitation of and participation in the conference on economic confidence-building measures with the participation of the parties, the Group of Friends, international donors and other international and non-governmental organizations (NGOs)	No	As the output was contingent on the willingness of the sides and on progress on substantive issues, the suspension of the dialogue between the parties in July 2006 contributed to the non-completion of the output

Organization of a study visit by the two parties to examine best practices in a post-conflict zone and return visit(s) of international experts to assist in the development of joint initiatives conducive to mutual confidence-building	No	The non-completion of the output resulted from the suspension of the dialogue between the parties in July 2006
Facilitation of high-level and "second track" contacts between the parties, as required, in the region and in Europe with international and local NGOs that contribute to the peace process and confidence-building measures, on divided families, women's associations and humanitarian assistance	Yes	Through 20 high-level meetings with the parties, the maintenance of "second track" contacts and the facilitation of visits by international NGOs to Sukhumi and the zone of conflict
Daily contacts with local and international media on political developments	Yes	Through contacts with the local media on both sides of the ceasefire line and through the daily updating of news on the UNOMIG website

Expected accomplishment 1.2: progress towards the safe, secure and dignified return of refugees and internally displaced persons to their places of previous permanent residence in Abkhazia, Georgia

<i>Planned indicators of achievement</i>	<i>Actual indicators of achievement</i>	
Signing of a document by the parties on the safe and dignified return of internally displaced persons and refugees	No document was signed owing to the suspension of the dialogue between the parties	
Commencement of registration and counting of returnees	No registration and counting of returnees commenced, as one of the parties had withheld its agreement on the commencement of the process pending the establishment of security conditions	
<i>Planned outputs</i>	<i>Completed (number or yes/no)</i>	<i>Remarks</i>
Chairing of 10 meetings of the working groups of the Coordinating Council on the return of refugees and internally displaced persons and on socio-economic issues	No	The non-completion of the output was attributable to the suspension of the dialogue between the parties
Participation in 5 meetings of the Sochi working groups on the return of internally displaced persons and refugees and on the rehabilitation of the railway and energy sectors	No	The non-completion of the output was owing to the fact that no meetings were convened by the Russian Federation, which is the Chair of the working groups

Facilitation of and participation in the implementation of the European Commission-funded two-year rehabilitation programme on electricity, health and income-generation for the Gali, Ochamchira, Tkvarcheli and Zugdidi districts and co-chairing of 3 meetings of the Steering Committee and 12 meetings of the working group to review, endorse, manage and monitor the implementation of the projects	Yes	In connection with the European Commission-funded projects on the shuttle bus, the rehabilitation of a high-voltage electrical network system and the renovation of Ochamchira hospital. The Lia Police station was handed over to the local law enforcement authorities in Zugdidi upon completion of the construction
	2	Meetings of the Steering Committee, comprising 1 meeting in Zugdidi in July 2007 and 1 meeting in Gali in November 2007 The lower output resulted from the suspension of the dialogue between the parties in July 2006
	6	Meetings of the working group The lower output reflected the actual number of meetings required, taking into account the implementation stages of the projects
Facilitation of the implementation of the recommendations of the Joint Assessment Mission (2000) and the Security Assessment Mission (2002) to the Gali district	Yes	Through the deployment of 2 Human Rights Officers in the Gali district, as recommended by the Joint Assessment Mission (2000), and of 3 United Nations police in the Gali district, who also covered the Tkvarcheli and Ochamchira districts, in line with recommendations by the Security Assessment Mission (2002)
Collaboration with and provision of logistical, operational and security support to the Office of the United Nations High Commissioner for Refugees (UNHCR), the United Nations Development Programme (UNDP) and other United Nations entities on the return of internally displaced persons and refugees	Yes	Through the provision of transportation, operational/logistical and security support during the visits of the United Nations country team in September 2007, the United Nations High Commissioner for Human Rights in February 2008 and the Deputy United Nations High Commissioner for Refugees in May 2008
Facilitation through implementing partners, including local and international organizations, of the implementation of reconstruction projects funded from the UNOMIG trust fund	Yes	Participated in and monitored the implementation of 6 projects
Monthly meetings on return-related issues with representatives of both sides, NGOs and bicomunal groups	No	The non-completion of the output resulted from the suspension of the dialogue between the sides in July 2006
Bimonthly provision of updated village profiles to UNHCR, UNDP and other United Nations entities	26	Updates for 212 village profiles

Expected accomplishment 1.3: increased respect for human rights throughout Abkhazia, Georgia, particularly in the Gali district

<i>Planned indicators of achievement</i>	<i>Actual indicators of achievement</i>	
Increase in the total number of investigations of human rights complaints by the local authorities (2005/06: 141; 2006/07: 50; 2007/08: 194)	The number of investigations by local authorities on human rights complaints decreased from 180 in 2006/07 to 90 in 2007/08, of which 16 cases were successfully closed during the period. The decrease was due to the increased complexity and the prolonged duration of the completion of the judicial process	
Increase in the number of local non-governmental organizations implementing human rights projects for disadvantaged groups in isolated areas (2005/06: 3; 2006/07: 5; 2007/08: 6)	Achieved. The number of local non-governmental organizations implementing human rights projects for disadvantaged groups in isolated areas increased from 5 in 2006/07 to 6 in 2007/08	
<i>Planned outputs</i>	<i>Completed (number or yes/no)</i>	<i>Remarks</i>
Monitoring of 50 trial sessions on human rights violations	55	Trial sessions, comprising 50 in Sukhumi, 1 in Gali, 3 in Gagra and 1 in Gulripsh
70 visits to detention facilities to carry out interviews with detainees, meet penitentiary personnel and monitor registration logs and detention conditions	70	Visits, comprising 49 in Gali, 10 in Sukhumi, 3 in Gagra, 3 in Ochamchira, 3 in Tkvarcheli, 1 in Pistanda and 1 in Gulripsh
Interviewing of 500 persons at the UNOMIG office in Sukhumi for the assessment of their claims of human rights violations	525	Persons
Provision of legal advice to 150 claimants on cases assessed as human rights violations	90	Claimants The lower output resulted from the increased complexity and prolonged duration of the completion of the judicial process
Participation in weekly meetings of the Joint Fact-finding Group and quadripartite meetings involving the CIS Collective Peacekeeping Forces and the Georgian and Abkhaz parties on human rights aspects of security incidents	1	Meeting of the Joint Fact-finding Group The lower output resulted from a lower number of human rights cases investigated by the Joint Fact-finding Group
	No	Following the suspension of the dialogue between the parties, no quadripartite meeting has been held since October 2006 owing to the refusal of one of the parties to participate in meetings under the current format

Implementation of 10 human rights awareness programmes (workshops, lectures, campaigns) for 80 law enforcement professionals, journalists and NGO activists throughout Abkhazia, Georgia

15 Human rights awareness programmes, comprising 3 programmes for 45 media personnel, 1 programme on the rule of law for 15 police students, 6 workshops for 17 university students on children's rights, 2 lectures on human rights programmes of European international organizations for 30 students and faculty of Sukhumi University, 20 local NGO activists and volunteers of the Gali Human Rights Centre, 2 workshops for 32 law enforcement professionals and NGO activists on women's rights and 1 seminar for 25 local judiciary and law enforcement personnel and NGO activists on gender education

The higher output resulted from increased interest of the target groups in human rights awareness programmes

In addition:

2,182 Leaflets on human rights literature distributed to local non-governmental organizations, libraries, the Gali Human Rights Centre, human rights institutions and judicial and law enforcement agencies

Identification of and reporting to 3 donors and implementing partners on the development and promotion of human rights education, awareness-raising, capacity-building and training projects in the field of human rights

4 Donors, comprising 2 donor countries (Netherlands and Switzerland), the Office of the United Nations High Commissioner for Human Rights and the Organization for the Security and Cooperation in Europe

11 Local and regional NGOs identified as implementing partners for 16 human rights projects

Component 2: military

13. The military component provided support to compliance with the 1994 Moscow Agreement on a Ceasefire and Separation of Forces. During the reporting period, the military component conducted patrols in excess of the planned output in the Gali and Zugdidi sectors and the Kodori Valley, as a result of the operational requirement to launch additional patrols within the sectors for observation and monitoring purposes as well as for the investigation of the incidents in the area and the ability to patrol the upper Kodori Valley throughout most of the winter months, which had not been possible in previous years. Quadripartite meetings and meetings of Working Group I of the Coordinating Council did not take place owing to the suspension of the dialogue between the sides.

Expected accomplishment 2.1: compliance with the 1994 Moscow Agreement on a Ceasefire and Separation of Forces

<i>Planned indicators of achievement</i>	<i>Actual indicators of achievement</i>	
No reintroduction of troops of the parties in the security zone and no reintroduction of heavy military equipment in the security zone or restricted weapons zone (2005/06: 4 incidents; 2006/07: 0 incidents; 2007/08: 0 incidents)	Number of violations decreased from 92 in 2006/07 to 45 in 2007/08 (38 incidents in the Georgian side and 7 incidents in the Abkhaz side)	
No reintroduction of military forces in the Kodori Valley (2005/06: 0 incidents; 2006/07: 0 incidents; 2007/08: 0 incidents)	No reported presence of military forces in the areas of the Kodori Valley to which UNOMIG patrols were given access	
<i>Planned outputs</i>	<i>Completed (number or yes/no)</i>	<i>Remarks</i>
8,760 United Nations military operational and rotational observer mobile patrol person-days in the Gali and Zugdidi sectors (4 military observers per patrol x 6 daily patrols x 365 days)	11 288	Mobile patrol person-days, comprising 8,760 United Nations military observers mobile patrol person-days in the Gali and Zugdidi sectors (4 military observers per patrol x 6 daily patrols x 365 days) and 2,528 patrol person-days in the Gali and Zugdidi sectors (4 military observers per patrol x 4 daily patrols x 158 days) The higher output was attributable to operational requirements for the monitoring, observation and investigation of incidents
288 United Nations military observer mobile patrol person-weeks in Zugdidi and lower Kodori Valley launched from 2 observation posts (2 military observers per patrol x 4 daily patrols x 36 weeks)	284	Mobile patrol person-weeks, comprising 180 in the lower Kodori Valley (2 military observers per patrol x 2 daily patrols x 45 weeks) and 104 in Zugdidi (2 military observers per patrol x 1 daily patrol x 52 weeks)
720 United Nations military observer mobile patrol person-days in the upper Kodori Valley launched from a forward team base (4 military observers per patrol x 5 patrols per week x 36 weeks)	860	Mobile patrol person-days (4 military observers per patrol x 5 patrols per week x 43 weeks) The higher output was attributable to the fact that patrols were conducted over an extended period during the winter months, as a result of the partial maintenance of the Kodori Valley road by local authorities
Weekly quadripartite meetings on security issues in the zone of conflict with representatives of the CIS Collective Peacekeeping Forces and the Georgian and Abkhaz sides	No	Following the suspension of the dialogue between the parties in July 2006, no meeting has been held since October 2006 owing to the refusal of one of the parties to participate

Chairing of 8 meetings of the Coordinating Council's Working Group I on security matters	No	Following the suspension of dialogue between the parties in July 2006, no meeting has been held since October 2006 owing to the refusal of one of the parties to participate
Organization of weekly meetings of the Joint Fact-finding Group and contacts with law enforcement agencies on both sides of the ceasefire line	7	Meetings The lower output resulted from the conduct of meetings only on specific cases agreed to by the sides, following the suspension of the dialogue between the sides
Meetings and liaison on an as-required basis with the CIS Collective Peacekeeping Forces, central and local authorities and law enforcement agencies on coordination of patrols and investigation of security incidents	3	Meetings per week, on average, on the coordination of patrols, the provision of security guarantees and patrol escorts and the investigation of security and violation incidents
Daily operational contacts with the CIS Collective Peacekeeping Forces on the coordination of joint patrols	Yes	
Investigations of allegations of violations of the Ceasefire Agreement as required	45	Violation reports
	7	In addition: Incidents investigated

Component 3: United Nations police

14. The United Nations police component provided assistance to both parties to enhance law and order in the Gali and Zugdidi districts. The main priority during the 2007/08 period was the creation of conditions conducive to the safe, secure and dignified return of internally displaced persons and refugees through advising, monitoring, training and equipping local law enforcement agencies and facilitating cross-ceasefire line cooperation in improving order and combating crime.

Expected accomplishment 3.1: enhancement of public law and order in the Gali and Zugdidi districts

<i>Planned indicators of achievement</i>	<i>Actual indicators of achievement</i>
Increase in the total number of police officers trained and deployed in the Zugdidi sector (2005/06: 240; 2006/07: 500; 2007/08: 540)	Achieved. The number of Georgian police officers trained and deployed increased from 414 in 2005/06 and 485 in 2006/07 to 1,450 in 2007/08. The increase resulted from the implementation of a new United Nations police customer-oriented training policy

Increase in the total number of trained and deployed police officers in the Gali sector (2005/06:100; 2006/07: 200; 2007/08: 230)

Achieved. The number of Abkhaz de facto police officers trained increased from 159 in 2005/06 and 204 in 2006/07 to 630 in 2007/08. The increase resulted from the implementation of a new United Nations police customer-oriented training policy

<i>Planned outputs</i>	<i>Completed (number or yes/no)</i>	<i>Remarks</i>
Advice on a weekly basis to law enforcement agencies on police and law enforcement matters	Yes	Through 895 meetings, comprising 542 meetings with 19 local law enforcement agencies in the Zugdidi sector and 353 meetings with 11 local de facto law enforcement agencies in the Gali sector The higher output was attributable to a new, proactive and customer-oriented monitoring policy
Regular monitoring of law enforcement agencies through 4 sector offices (2 in Gali district and 2 in Zugdidi district)	Yes	Through 737 visits, comprising 605 visits to 19 Georgian police facilities in the Zugdidi district and 132 visits to 11 Abkhaz de facto police facilities in the Gali district
Facilitation of financing through external donors of the establishment of 2 equipped police training facilities (1 in Gali and 1 in Zugdidi) for 50 local law enforcement officers	Yes	4 police training facilities established, comprising 1 in the Lia police station for 20 local police officers and 3 on-the-job training facilities for 60 local de facto law enforcement officers in the de facto police premises in Gali, Ochamchira and Tkvarcheli
Weekly Joint Fact-Finding Group and quadripartite meetings with local law enforcement agencies, district authorities and the CIS Collective Peacekeeping Forces on matters relating to security and criminal incidents; provision of forensic services relating to cross-ceasefire line investigations	No 12	Following the suspension of the dialogue between the parties in July 2006, no meeting has been held since October 2006 owing to the refusal of one of the parties to participate Cross-ceasefire line investigations for which forensics-related expertise and advice were provided
Weekly meetings at the command level with local law enforcement agencies on security and policing matters in the Gali and Zugdidi regions	364	Meetings, comprising 208 with Georgian police district commanders in Zugdidi, Chkhorotsku, Khobi and Tsalenjikhra (4 meetings per week x 52 weeks) and 156 with Abkhaz de facto police commanders in Gali, Ochamchira and Tkvarcheli (3 meetings per week x 52 weeks) The higher output resulted from the deployment of United Nations police in Gali since April 2007
Participation in 8 meetings of the Coordinating Council's Working Group I on security matters	No	Following the suspension of the dialogue between the parties in July 2006, no meeting has been held since October 2006 owing to the refusal of one of the parties to participate

On-the-job training for 770 police personnel, in cooperation with 60 trained local police trainers, on crime prevention, community policing, human security, human rights and law enforcement and gender and forensic issues	2 080	Police personnel from the Georgian police and Abkhaz de facto police The higher output was attributable to the implementation of a new customer-oriented training policy
Facilitation of the training of 50 local police officers at police schools abroad on human rights, investigation techniques, forensics and community policing, to be funded from voluntary contributions to the trust fund in support of the implementation of the Agreement on a Ceasefire and Separation of Forces	20	Georgian police officers, comprising 10 officers trained in Estonia on community policing and 10 officers trained in Poland on crime prevention The lower output was attributable to the non-participation of Abkhaz de facto police officers in training courses abroad
5,840 patrol person-days (2 police officers per patrol x 4 daily patrols x 2 sectors x 365 days)	5 840	Patrol person-days in the Zugdidi and Gali sectors
416 joint patrol person-weeks with local police in the Gali and the Zugdidi sectors (2 police officers per patrol x 2 joint patrols x 2 sectors x 52 weeks)	416	Joint patrol person-weeks with Georgian police and Abkhaz de facto police
20 information campaigns on United Nations police activities, involving monthly press releases, radio (30 minutes per month x 12 months) and television broadcasts (30 minutes per day x 20 days per year) and issuance of 2 leaflets	21	Information campaigns on both the Georgian and Abkhaz sides of the ceasefire line, comprising 24 television broadcasts (77 minutes of airtime) and issuance of 12 leaflets and 4 books

Component 4: support

15. During the reporting period, the support component provided effective and efficient logistical and administrative services in support of the implementation of the Mission's mandate through the delivery of related outputs and service improvements. Support was provided for the average actual deployment of 131 military observers and 16 United Nations police as well as to the civilian staffing establishment of 282 personnel. The range of support covered all services, including the continued infrastructure repairs of key roads and bridges essential for military observers and the United Nations police to patrol the conflict zone. Two military observation posts were established in Gali and Zugdidi, four forward patrol bases were established on a temporary basis and the Adjara team base in the Kodori Valley was upgraded. Additional United Nations-owned vehicles were equipped with the fuel log system. The number of days between write-off and disposal of assets was reduced. The notification period for the renewal and/or termination of long-term contracts was extended. Conduct and discipline and HIV/AIDS awareness programmes were also implemented. Financial services, medical services, information technology and communications services, air and surface transport operations, supply operations and accommodation facilities were provided and

maintained. Some facilities and infrastructure projects were not completed owing to the unavailability of contractors and inclement weather conditions.

Expected accomplishment 4.1: effective and efficient logistical, administrative and security support to the Mission

<i>Planned indicators of achievement</i>	<i>Actual indicators of achievement</i>
Reduction in commercial communications costs by 5 per cent, from \$681,200 in 2006/07 to \$645,400 in 2007/08, using least-cost routing and more cost-effective cellular and satellite phone services	Achieved. Commercial communications costs decreased by 31 per cent, from \$681,200 in 2006/07 to \$470,600 in 2007/08, as a result of the centralization of support, the optimization of the internal satellite network and optimum use of locally leased lines
Reduction in the consumption of petrol, oil and lubricants by 5 per cent, from an average consumption of 176 litres/vehicle/month in 2005/06 and 167 litres/vehicle/month in 2006/07 to 158 litres/vehicle/month in 2007/08	Average consumption was 163/litres/vehicle/month in 2007/08, which resulted from resumed patrols in the Kodori Valley and other outstations and an increase in the surface movement of personnel when air transportation was unavailable owing to inclement weather
Extension of notification period for the renewal and/or termination of long-term contracts from 30 days in 2006/07 to 60 days in 2007/08	Achieved. The notification period for the renewal and/or termination of long-term contracts was extended to an average of 45 days resulting from the use of a contract-tracking system
Reduction in the number of days for the write-off and disposal of assets, from 365 days in 2005/06 and 250 days in 2006/07 to 200 days in 2007/08	Achieved. The number of days between the write-off and disposal of assets was reduced to an average of 62 days in 2007/08 as a result of more concerted efforts by concerned parties

<i>Planned outputs</i>	<i>Completed (number or yes/no)</i>	<i>Remarks</i>
Service improvements		
Installation of 1 telecommunications tower in the Office of the Special Representative of the Secretary-General in Tbilisi to improve the delivery and reliability of voice and data services within the Mission area	No	Owing to unforeseen changes at the Ochamchira repeater site, the telecommunications tower planned for the Office of the Special Representative of the Secretary-General in Tbilisi was instead installed at the Ochamchira repeater site to meet immediate operational requirements
Intersector conferencing within the Mission area through a terrestrial network, which will reduce reliance on a satellite transponder	Yes	Intersector conferencing within the Mission area has been configured to utilize both terrestrial network and commercial leased line capabilities
Integration on UNOMIG telephone network to utilize digital enhanced cordless telecommunications capabilities to reduce usage of commercial cellular services	Yes	Digital enhanced cordless telecommunications capabilities implemented in all UNOMIG offices

Installation of a fuel log system in 183 vehicles and introduction of the Mission electronic fuel accounting system to increase effectiveness in the monitoring of fuel supply, storage and utilization

172

Vehicles with fuel log system

The lower output resulted from the fact that 11 vehicles in Tbilisi were supplied with fuel through a smart card system by a local fuel supplier, which documented fuel consumption through its recording and invoicing systems

The mission electronic fuel accounting system was not introduced to avoid duplication with the fuel log system

Issuance of service termination notices to vendors, suppliers or service providers at least 60 days prior to contract expiration dates and/or when values of contracts are less than or equal to 25 per cent of the not-to-exceed amounts

Yes

Notices issued an average of 45 days before the not-to-exceed amounts are reached, based on an automated notification generated when the amount reached 75 per cent

Issuance of 50 renewal notices to vendors and suppliers for the provision of goods and services at least 60 days prior to the expiration of current contracts

40

Renewal notices issued at least 60 days prior to the expiration of contracts

Identification of assets for write-off, related review by the Local Property Survey Board and disposal action within 200 days

Yes

Average of 124 days between initiation of write-off and disposal action

Military, police and civilian personnel

Emplacement, rotation and repatriation of 135 military observers and 20 United Nations police officers

131

Military observers (average strength)

16

United Nations police (average strength)

The lower numbers resulted from the lower number of nominations from potential contributing countries

Administration of 116 international staff, 192 national staff (including temporary positions) and 1 United Nations Volunteer

98

International staff (average strength)

183

National staff (average strength)

1

United Nations Volunteer (full strength)

The lower numbers of international and national staff primarily resulted from a high staff turnover

Implementation of a conduct and discipline programme for all military, police and civilian personnel, including training, prevention, monitoring and recommendations for disciplinary action

Yes

Through 46 briefings held during induction training and bi-annual refresher courses, a misconduct risk assessment report, the receipt and processing of allegations of misconduct and the production and dissemination of 3 posters in English, Russian and Georgian on the standards of conduct, integrity awareness initiative, prevention of discrimination, harassment and abuse of authority

Facilities and infrastructure

Maintenance of the Mission headquarters in Sukhumi and 2 sector headquarters in Gali and Zugdidi, including the logistics base in Zugdidi and the Tbilisi liaison office	Yes	
Establishment of 2 additional observation posts and 4 forward patrol bases in the upper Kodori Valley and the Gali and Zugdidi sectors	2 4 1	Observation posts Forward patrol bases established on a temporary basis In addition: Team base in Adjara upgraded
Provision of sanitation services for all premises, including sewerage and garbage collection and disposal	Yes	
Storage and supply of 300,000 litres of diesel, oil and lubricants for generators	206 780	Litres The lower number was attributable to the increased reliance on the local electricity supply
Maintenance of 878 kilometres of roads and 167 bridges, including the renovation of 45 kilometres of roads and 5 bridges	878 167	Kilometres of road maintained Bridges maintained The renovation of 45 kilometres of roads and 5 bridges was undertaken by the local authorities
Maintenance and renovation of 6 fuel storage facilities for generators and vehicles in 6 locations	6	Fuel storage facilities

Ground transportation

Operation and maintenance of 183 United Nations-owned vehicles, including 36 armoured vehicles, and 2 contingent-owned vehicles in 3 locations	183	Vehicles
Supply of 408,000 litres of petrol, oil and lubricants for vehicles	524 000	Litres The higher output was attributable to an increase in the number of patrols by military observers and United Nations police and an increase in the use of surface/ground transportation when air transportation was unavailable owing to adverse weather conditions or security concerns

Air transportation

Operation and maintenance of 1 AN-24 fixed-wing and 1 MI-8 rotary-wing aircraft	1 1	Fixed-wing aircraft Rotary-wing aircraft
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Supply of 799,340 litres of aviation fuel for air operations	776 056	Litres
		The lower output resulted from the cancellation of some flights owing to inclement weather conditions

Communications

Support and maintenance of a satellite network consisting of 1 Earth-station hub for voice, fax, video and data communications	1	Earth station hub
Support and maintenance of 5 very small aperture terminal systems, 12 telephone exchanges and 29 microwave links	5	Very small aperture terminal systems
	12	Telephone exchanges
	29	Microwave links
Support and maintenance of 46 high frequency and 811 very high frequency repeaters and transmitters	46	High frequency repeaters
	811	Very high frequency repeaters and transmitters

Information technology

Support and maintenance of 52 servers, 315 desktop computers, 87 laptop computers, 85 printers and 24 digital senders in 4 locations	52	Servers
	315	Desktop computers
	87	Laptop computers
	85	Printers
	24	Digital senders
Support and maintenance of 12 local area networks and wide area networks for 500 users in 8 locations	12	Local area networks and wide area networks for 500 users in 8 locations

Medical

Operation and maintenance of 2 level-I clinics at the Sukhumi headquarters and in the Gali and Zugdidi sectors for Mission personnel, staff of other United Nations agencies and the local civilian population in emergency cases	2	Level-I clinics
Operation and maintenance of voluntary confidential HIV counselling and testing facilities for all Mission personnel	Yes	
HIV sensitization and awareness programme, including peer education and printing of posters for all Mission personnel	Yes	Through inclusion in the orientation programme for incoming staff, the production and distribution of HIV/AIDS posters, information materials and calendars and the production of a 3-hour programme on the observance of World AIDS Day

In addition:

One meeting with local NGO HIV/AIDS
representatives on collaboration with UNOMIG

Security

Close protection services for the Special Representative of the Secretary-General and all high-level visitors 24 hours a day, 7 days a week in the Mission area	Yes	
Provision of security services for Sukhumi headquarters, sector headquarters in Zugdidi and Gali and the Office of the Special Representative of the Secretary-General in Tbilisi 24 hours a day, 7 days a week	Yes	
Training on security and fire safety for all new Mission staff	Yes	Through the conduct of 4 fire safety training exercises for 190 United Nations personnel (new and existing staff) and 4 fire drills in the Mission area
Upgrading and maintenance of closed-circuit television systems in Sukhumi, Zugdidi and Gali	Yes	

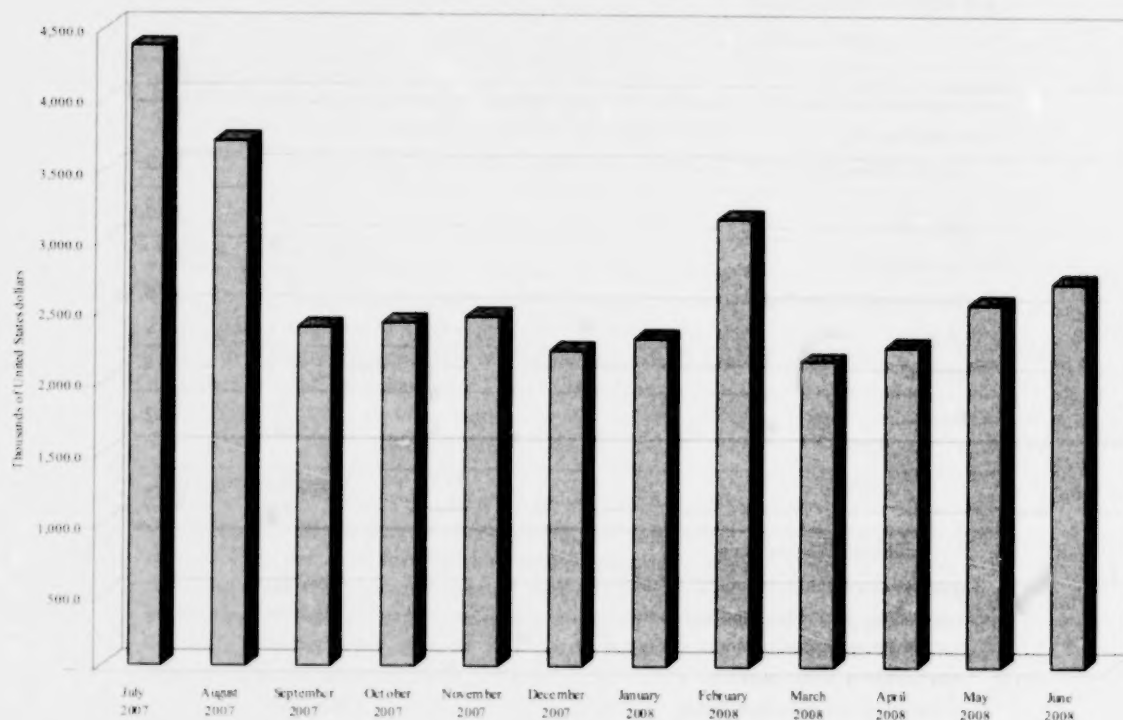
III. Resource performance

A. Financial resources

(Thousands of United States dollars. Budget year is from 1 July 2007 to 30 June 2008.)

Category	Apportionment (1)	Expenditure (2)	Variance	
			Amount (3) = (1) - (2)	Percentage (4) = (3) ÷ (1)
Military and police personnel				
Military observers	4 066.0	3 874.2	191.8	4.7
Military contingents	64.7	64.7	—	—
United Nations police	644.8	462.9	181.9	28.2
Formed police units	—	—	—	—
Subtotal	4 775.5	4 401.8	373.7	7.8
Civilian personnel				
International staff	16 219.3	14 891.3	1 328.0	8.2
National staff	3 790.2	3 553.1	237.1	6.3
United Nations Volunteers	43.4	37.5	5.9	13.6
General temporary assistance	49.3	54.4	(5.1)	(10.3)
Subtotal	20 102.2	18 536.3	1 565.9	7.8
Operational costs				
Government-provided personnel	—	—	—	—
Civilian electoral observers	—	—	—	—
Consultants	—	5.2	(5.2)	—
Official travel	518.2	511.6	6.6	1.3
Facilities and infrastructure	2 462.2	2 576.9	(114.7)	(4.7)
Ground transportation	1 674.7	1 767.9	(93.2)	(5.6)
Air transportation	2 687.0	2 204.9	482.1	17.9
Naval transportation	—	—	—	—
Communications	1 436.9	1 142.0	294.9	20.5
Information technology	828.5	809.6	18.9	2.3
Medical	46.5	227.8	(181.3)	(389.9)
Special equipment	5.8	33.9	(28.1)	(484.5)
Other supplies, services and equipment	472.3	559.4	(87.1)	(18.4)
Quick-impact projects	—	—	—	—
Subtotal	10 132.1	9 839.2	292.9	2.9
Gross requirements	35 009.8	32 777.3	2 232.5	6.4
Staff assessment income	2 372.9	2 208.4	164.5	6.9
Net requirements	32 636.9	30 568.9	2 068.0	6.3
Voluntary contributions in kind (budgeted)	—	—	—	—
Total requirements	35 009.8	32 777.3	2 232.5	6.4

B. Monthly expenditure pattern



16. During the period, the expenditure pattern primarily reflected fluctuations under operational costs based on the Mission's assets acquisition plan. Procurement of equipment and services was undertaken mainly from July 2007 to February 2008.

C. Other income and adjustments

(Thousands of United States dollars)

Category	Amount
Interest income	251.2
Other/miscellaneous income	500.5
Prior-period adjustments	—
Cancellation of prior-period obligations	576.2
Total	1 327.9

D. Expenditure for contingent-owned equipment: major equipment and self-sustainment

(Thousands of United States dollars)

<i>Category</i>	<i>Expenditure</i>
Major equipment	
Military contingents	64.7
Subtotal	64.7
Self-sustainment	
Facilities and infrastructure	0.6
Medical	26.9
Subtotal	27.5
Total	92.2

<i>Mission factors</i>	<i>Percentage</i>	<i>Effective date</i>	<i>Last review date</i>
A. Applicable to Mission area			
Extreme environmental condition factor	0.7	1 July 2001	—
Intensified operational condition factor	0.8	1 July 2001	—
Hostile action/forced abandonment factor	1.0	1 July 2001	—
B. Applicable to home country			
Incremental transportation factor	0.50	1 July 2001	—

IV. Analysis of variances¹

	<i>Variance</i>	
Military observers	\$191.8	4.7%

17. The reduced requirements resulted from the average vacancy rate of 3 per cent compared with the planned full deployment of 135 personnel in the budget.

	<i>Variance</i>	
United Nations police	\$181.9	28.2%

18. The reduced requirements were attributable mainly to the vacancy rate of 20 per cent compared with the assumption of the full deployment of 20 personnel, owing to the agreement of only one of the sides for a limited scope of police-related activities in the Gali district.

	<i>Variance</i>	
International staff	\$1,328.0	8.2%

19. The unutilized balance was attributable mainly to the higher actual vacancy rate of 15.5 per cent compared with the budgeted vacancy factor of 10 per cent, resulting from the high turnover of staff owing to selection for service in new and expanding missions (8 staff), resignation/contract expiration (5 staff) and retirement (2 staff). The unspent amount was partly offset by an increase in international salaries effective January 2008.

	<i>Variance</i>	
National staff	\$237.1	6.3%

20. The unutilized balance was attributable primarily to the higher actual vacancy rate of 4.2 per cent compared with the budgeted vacancy factor of 1 per cent, owing to the high turnover of staff resulting from the selection for service in new and expanding missions (7 staff), resignation/contract expiration (3 staff) and retirement (3 staff). The unspent amount was partly offset by an increase in national salaries effective 1 October 2008.

	<i>Variance</i>	
United Nations Volunteers	\$5.9	13.6%

21. The unspent balance was attributable to reduced requirements for orientation, training, medical and life insurance and hazardous duty station allowance, which was partly offset by additional requirements for living allowances, based on the agreement with the United Nations Volunteers.

¹ Resource variance amounts are expressed in thousands of United States dollars. Analysis is provided for variances of at least plus or minus 5 per cent or \$100,000.

	<i>Variance</i>	
General temporary assistance	(\$5.1)	(10.3%)

22. The additional requirements resulted from the temporary employment of three additional language assistants to support the military observers deployed in the Adjara team base and two new observation posts.

	<i>Variance</i>	
Consultants	(\$5.2)	—

23. The variance for consultants, for whom no provision was made, resulted from the services of a military expert for the provision of technical support and for the conduct of a feasibility assessment on the deployment of unmanned aerial vehicles, as reflected in the reports of the Secretary-General to the Security Council (S/2007/588 and S/2008/38) and in response to the request of the Security Council, in paragraph 2 of its resolution 1781 (2007), to continue to explore options for the implementation of the UNOMIG recommendation on strengthening its observation capacity.

	<i>Variance</i>	
Facilities and infrastructure	(\$114.7)	(4.7%)

24. The additional requirements were attributable mainly to the acquisition of prefabricated facilities and generators for the establishment of two observation posts and the upgrading of the Adjara team base as well as to increased costs of outsourced maintenance services. The additional requirements were partly offset by reduced requirements under alteration and renovation services, owing to the unavailability of suitable contractors for the repair of roads and bridges and to the fact that the repair of the roads and bridges was undertaken by local authorities.

	<i>Variance</i>	
Ground transportation	(\$93.2)	(5.6%)

25. The increased requirements were attributable to the increase in the cost of fuel from the budgeted cost of \$0.75 per litre to the actual cost of \$0.85 per litre and the higher consumption of fuel (465,765 litres compared with 398,000 litres planned) resulting from the increase in the number of military patrols.

	<i>Variance</i>	
Air transportation	\$482.1	17.9%

26. The unspent balance resulted from the decrease in the guaranteed fleet costs for the fixed-wing aircraft, as a result of rationalization of the flight schedule, and for the helicopter, resulting from more favourable rates negotiated under the new contract. The unspent amount was also attributable to the lower number of hours flown by both aircraft, owing to the cancellation of flights because of inclement weather.

	<i>Variance</i>	
Communications	\$294.9	20.5%

27. The unutilized balance was attributable primarily to reduced requirements under commercial communications, resulting from the optimization of an internal satellite network and the Mission's reduced share of transponder charges. In addition, the unspent balance resulted from reduced requirements for spare parts in the light of adequate stock.

	<i>Variance</i>	
Medical	(\$181.3)	(389.9%)

28. The additional requirements were attributable to the medical evacuation of one military observer by air ambulance.

	<i>Variance</i>	
Special equipment	(\$28.1)	(484.5%)

29. The additional requirements resulted from the acquisition of observation equipment, for which no provision was made, to enhance the Mission's observation and monitoring capability.

	<i>Variance</i>	
Other supplies, services and equipment	(\$87.1)	(18.4%)

30. The additional requirements were attributable mainly to loss on exchange and to the increased cost of annual subscriptions for newspapers and journals as well as the additional subscription to an online database for the use of the military observers.

V. Actions to be taken by the General Assembly

31. The actions to be taken by the General Assembly in connection with the financing of UNOMIG are:

(a) To decide on the treatment of the unencumbered balance of \$2,232,500 with respect to the period from 1 July 2007 to 30 June 2008;

(b) To decide on the treatment of other income for the period ended 30 June 2008 amounting to \$1,327,900 from interest income (\$251,200), other/miscellaneous income (\$500,500) and cancellation of prior-period obligations (\$576,200).



General Assembly

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Agenda item 30

Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem

Report of the Secretary-General

Summary

In its resolution 62/109, the General Assembly requested the Secretary-General to submit to the Assembly at its sixty-third session a report on the implementation of the resolution. The present report, prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR), is submitted pursuant to that resolution. The period covered by the report is January to August 2008.

Considering the width of the concerns set out by the General Assembly in the resolution, as well as the human rights mandate of OHCHR, the report addresses only a few of the issues detailed by the Assembly, specifically, the policy of closures and severe restrictions, including its impact on the socio-economic situation in the Occupied Palestinian Territory, the wall and the destruction of property, and the conditions affecting Palestinian prisoners in Israel.



I. Introduction

1. In its resolution 62/109, the General Assembly expressed grave concern about ... the continuing systematic violation of the human rights of the Palestinian people by Israel, the occupying Power, including that arising from the excessive use of force, the use of collective punishment, the reoccupation and closure of areas, the confiscation of land, the establishment and expansion of settlements, the construction of the wall inside the Occupied Palestinian Territory in departure from the Armistice Line of 1949, the destruction of property and infrastructure, and all other actions by it designed to change the legal status, geographical nature and demographic composition of the Occupied Palestinian Territory, including East Jerusalem.

It also expressed concern about the continued establishment of Israeli checkpoints in the Occupied Palestinian Territory, including East Jerusalem and about the Israeli policy of closures, severe restrictions, and a permit regime that obstruct the movement of persons and goods, including medical and humanitarian personnel and goods, throughout the Occupied Palestinian Territory, including East Jerusalem, and about the consequent violation of the human rights of the Palestinian people and negative impact on their socio-economic situation, which remains that of a dire humanitarian crisis.

2. The General Assembly also expressed deep concern about the vast destruction caused by the Israeli occupying forces, including of religious, cultural and historical sites, of vital infrastructure and institutions of the Palestinian Authority, and of agricultural land throughout Palestinian cities, towns, villages and refugee camps, and about the short- and long-term detrimental impact of such destruction on the socio-economic and humanitarian conditions of the Palestinian civilian population.

3. In addition, the General Assembly expressed its deep concern that thousands of Palestinians, including hundreds of children and women, continued to be held in Israeli prisons or detention centres under harsh conditions that impair their well-being, and expressed concern about the ill treatment and harassment of any Palestinian prisoners and all reports of torture.

4. Taking into consideration recent reports on the humanitarian situation in the Gaza Strip in 2008 (A/HRC/7/76 and A/HRC/8/17), which also deal with the killing of Palestinian and Israeli civilians as well as the firing of rockets against Israeli civilian areas, and also considering the width of the concerns made by the General Assembly as well as the human rights mandate of the Office of the United Nations High Commissioner for Human Rights, the present report addresses progress made in the implementation of resolution 62/109 concerning only a few of the issues detailed by the Assembly, specifically, the policy of closures and severe restrictions, including its impact on the socio-economic situation in the Occupied Palestinian Territory, the wall and the destruction of property, and the conditions affecting Palestinian prisoners in Israel.

5. The question of the impact of Israeli settlements on the enjoyment of human rights in the Occupied Palestinian Territory is addressed in a separate report submitted pursuant to General Assembly resolution 62/108 (A/63/519). Furthermore, the Secretary-General will submit a report on the work of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the

Palestinian People and Other Arabs of the Occupied Territories pursuant to resolution 62/106.

6. Considering the wealth of information available on the issue of freedom of movement in the Occupied Palestinian Territory, the present report relies heavily on information made publicly available by the Office for the Coordination of Humanitarian Affairs (see <http://www.ochaopt.org>).

II. Progress in the implementation of the resolution

A. Israeli policy of closures and severe restrictions on the movement of persons and goods in the Occupied Palestinian Territory

7. During the period under review, the Government of Israel continued to impose on Palestinian residents of the Occupied Palestinian Territory the comprehensive closure system, which Israel claims is necessary for its security. The system consists of a complex array of physical and administrative obstacles that have a severe and detrimental impact on the rights of Palestinians as guaranteed in article 12 of the International Covenant on Civil and Political Rights, and more specifically the individual's right to freedom of movement, to choose a residence and to leave and re-enter the Occupied Palestinian Territory.

8. The restrictions have had serious consequences for Palestinians, including economic consequences. The restrictions continue to undermine the enjoyment of other rights guaranteed under international human rights law by effectively impeding access to health care, education and employment. They have also caused significant financial hardship and the interruption of essential social networks and communities.

9. In the West Bank, the restrictions have made access to essential services, such as health and education, difficult and at times impossible. Approximately 1.4 million Palestinians are forcibly confined in the Gaza Strip, where social and economic conditions are deteriorating rapidly.

10. Imposed under military orders and regulations, restrictions on freedom of movement in the West Bank are issued and usually published by the Military Commander of the Israel Defense Forces (IDF) in the West Bank. As there are no established rules of procedure in relation to those orders, their content can vary from day to day and from commander to commander, while the manner of their implementation is left largely to the discretion of the soldiers.

11. The permit system imposed on all Palestinian identification card holders within the occupied territory remained active during the period covered by the report. For Palestinian residents of the Gaza Strip, permits to enter Israel, and hence to travel to East Jerusalem and the West Bank, are still difficult to obtain except in rare circumstances, such as for VIPs, some United Nations personnel and certain business officials and for medical emergencies. Permits are also required to gain access to certain areas along the wall — in the "seam zone" — or to cross certain checkpoints by car, for instance in Nablus.

12. The application process for permits is time-consuming and expensive, and applications are frequently rejected.¹ The rules as to whether a permit for travel is required or will be granted are fluid and can change daily.² Even when a permit is granted, it does not automatically guarantee the holder permission to pass through a checkpoint.³ There is no formal process for appealing a rejection, the only option being to resubmit the application. Furthermore, there is no automatic renewal procedure for a permit that has expired. All permits must be applied for anew, and there is no guarantee that a new one will be granted.

13. The permit system is enforced by a web of checkpoints operating along the Green Line and in the West Bank and East Jerusalem. At the end of April 2008, the Office for the Coordination of Humanitarian Affairs estimated that there were 88 manned obstacles out of a total of 607 closure obstacles in the West Bank.⁴ The general closure can be enforced at any time without notice. In the first half of 2008, 41 days of general closure were enforced in the West Bank, compared to 19 in 2007. As far as Gaza is concerned, the Strip has been completely sealed off since January 2008, which has led to a serious humanitarian crisis. Since the entry into force of the Egyptian-brokered ceasefire between Hamas and the Government of Israel on 19 June 2008, access to and from the Gaza Strip has improved slightly.

14. Checkpoints are manned by the Israeli security forces, border police or private contractors. In areas of the West Bank where the barrier encloses agricultural land, Palestinians need to have the appropriate permit in order to have access to their land. Even individuals who have been issued a permit enjoy no guarantee of permission to cross, as the decision whether to allow passage is ultimately in the hands of the personnel staffing the checkpoint.⁵ According to information received, Palestinian identification card holders face long delays, personal searches and, at times, harassment by checkpoint personnel.

15. Additional restrictions can be instituted at checkpoints with little or no notice. For instance, males between the ages of 16 and 35 are often refused permission to cross. Such restrictions are reportedly frequently imposed in Nablus and Jenin.⁶ Palestinians are often limited to crossing at specific times and are usually prohibited

¹ Precise statistics on the refusal rate are not available. Reasons are rarely, if ever, provided; most refusals are transmitted verbally and without explanation. At most, the refused application may merely have the word "security" stamped on it, with no other details. The vast majority of refused applications have no reason provided at all. See "Forbidden Roads: Israel's Discriminatory Road Regime in the West Bank", B'Tselem, Information Sheet, August 2004.

² The Government of Israel has never published or made public the rules or procedures governing the granting of permits to Palestinians. B'Tselem reports (see reference in note 1) that the Israeli authorities confirmed the lack of definitive criteria in determining permit applications in a meeting held in June 2004.

³ According to *Waiting for Justice: Al-Haq: 25 Years of Defending Human Rights (1979-2004)*, the process is subject to conflicting interpretations of unwritten rules by different officials, rendering the requirements for obtaining a permit and the outcome of an application unpredictable.

⁴ Including manned and unmanned checkpoints, roadblocks and barriers, trenches, earth mounds and other obstacles to movement of Palestinians.

⁵ See reference in note 1.

⁶ The legal basis on which these closures and restrictions have been imposed in Nablus is before the Israeli Supreme Court. As at the date of the present report, no update on the petition had been received. For more information, see <http://www.acri.org.il/eng/Story.aspx?id=401> and <http://www.acri.org.il/eng/Story.aspx?id=484>.

from doing so in the evening or at night, except in urgent humanitarian cases.⁷ Local closures and curfews can be imposed at any time without notice. Such restrictions are frequently applied in and around Jenin and Nablus.

16. IDF have issued a "Procedure for Handling of a Resident of Judea and Samaria Who Arrives at a Checkpoint in an Urgent Medical Situation"⁸ which is intended to expedite the passage of persons requiring medical treatment through checkpoints. However, what constitutes an emergency is left to the discretion of the personnel at the checkpoint. The Office for the Coordination of Humanitarian Affairs reports that in 2007 there were on average 27 cases a month of ambulances being delayed at checkpoints and 20 cases in which ambulances were prohibited from crossing. From January to June 2008, a total of 86 ambulances were reportedly delayed at checkpoints, and 118 were denied access. There are also frequent reports of soldiers damaging medical equipment and ambulances and verbally or physically assaulting ambulance drivers and patients.

17. The Government of Israel has not met the conditions established under article 4 of the International Covenant on Civil and Political Rights for derogation from the right to freedom of movement. This article requires that when imposed, a derogation must be temporary, existing only during an officially proclaimed state of emergency that threatens the life of the nation. The measures taken under the derogation must be imposed only to the extent strictly required by the exigencies of the state of emergency. They must not be inconsistent with the State's other international legal commitments and must not involve discrimination on the ground of race, colour, sex, language, religion or social origin. A derogation is not permitted in relation to certain rights under the Covenant. In addition, the State party is obliged to inform the other States parties to the Covenant, through the Secretary-General, of the provisions from which it has derogated and of the reason for that course of action. The restrictions imposed by the Government of Israel on the Palestinian population also infringe on its duties under international humanitarian law.

18. Israeli courts have recognized that Israeli policies and activities in the West Bank fall under the legal regime of occupation and include inherent responsibilities of the State of Israel for the welfare of the Palestinian population living under its occupation. The Israeli High Court has consistently found that the Hague Regulations of 1907, as representative of customary international law, fully apply to the West Bank and the Gaza Strip. On the other hand, the Government of Israel has consistently disputed the de jure application of the Fourth Geneva Convention to the Occupied Palestinian Territory, although it has stated that it would respect the de facto application of the humanitarian provisions of the Convention. However, neither the Israeli courts nor the Government of Israel has ever issued a definitive statement of which humanitarian provisions apply.

19. While international humanitarian law imposes obligations on the occupying Power regarding the population resident in the occupied territory, it nevertheless permits the occupying Power to take measures to protect its own forces and to ensure security. In relation to the duties of the occupying Power, article 43 of the Hague Regulations of 1907 states:

⁷ "Ground to a Halt: Denial of Palestinians' Freedom of Movement in the West Bank", p. 13, B'Tselem, August 2007.

⁸ Ibid., p. 67.

The authority of the legitimate power having in fact passed into the hands of the occupant, the latter shall take all the measures in his power to restore and ensure, as far as possible, public order and safety, while respecting, unless absolutely prevented, the laws in force in the country.

20. While the occupying Power has considerable discretion as to the choice and exercise of security measures or military imperatives it may consider necessary, no action should be taken by the occupying Power that subverts the rights and protections afforded to protected persons living in the occupied territory under international humanitarian and human rights law, nor to reverse the relationship between those rights and protections vis-à-vis any restriction, thereby making the restriction the norm and the right or protection the exception.

B. The wall in the Occupied Palestinian Territory

21. In June 2002, the Israeli Government decided to erect a 723-kilometre-long barrier to separate Israel and the West Bank, with the stated purpose of preventing Palestinian suicide bombers from entering Israel.

22. The International Court of Justice, in its 2004 advisory opinion on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory* (see A/ES-10/273 and Corr.1), concluded that the route chosen by the Government of Israel running inside the West Bank, along with the associated regime, gravely infringed a number of rights of Palestinians residing in the territory occupied by Israel, and thus breached various obligations of Israel under international humanitarian and human rights law.

23. The construction of the wall, which fragments the West Bank into non-contiguous enclaves, brought new restrictions on movement and access for Palestinians living near the wall, in addition to widespread restrictions and measures associated with the closure regime of existing checkpoints and roadblocks. In addition to its immediate impact on freedom of movement, the wall and the associated restrictions of movement significantly undermine the enjoyment of a host of other fundamental human rights (see A/HRC/8/18). For this reason, the impact of the wall warrants a closer review in the context of this report.

24. The majority of the route, approximately 87 per cent, runs inside the West Bank and East Jerusalem rather than along the 1949 Armistice Line (Green Line). Despite the judgement of the Israeli High Court of Justice in February 2004,⁹ and despite the advisory opinion of the International Court of Justice of 9 July 2004, construction of the wall continues, with approximately 57 per cent of it already completed and 9 per cent presently under construction.

25. On 28 and 29 July 2008, Israeli authorities declared that they would demolish sections of the wall around the village of Bil'in, west of Ramallah, and near Qalqilia, in the northern West Bank, moving the wall's location in those two areas

⁹ In February 2004, the residents of several villages north-west of Jerusalem petitioned the High Court of Justice. In its judgement, known as the Beit Sourik case, the High Court ruled that most of the route to which the petition related was illegal, and that the State must propose another route. In light of the judgement, Prime Minister Sharon directed the defence establishment to reconsider the route. A new route was proposed, and the Cabinet approved the amended route in February 2005. For more information, see B'Tselem, http://btselem.org/English/Separation_Barrier/.

by 2.4 kilometres and allowing Palestinian farmers to have access to 2,600 dunums of land. The decisions came after years of deliberations in which the Israeli High Court decided against three sections of the wall on grounds that the harm to Palestinians was disproportionate and ordered the State to move it.¹⁰

26. In areas where the wall has already been built, extensive violations of human rights of Palestinians living nearby are frequently reported. In areas located between the barrier and the Green Line, which represent 9.8 per cent of the West Bank, access by Palestinian farmers to their lands and water resources is severely limited and can be achieved only through restrictive permit and gate regimes. Farmers need "visitor" permits to cross the wall to reach their farms and wells and, according to the Office for the Coordination of Humanitarian Affairs and the United Nations Relief and Works Agency for Palestine Refugees in the Near East, fewer than 20 per cent of farmers who used to work on their land in those areas prior to the completion of the barrier are now granted access to them.

27. Reduced opportunity for cultivation has led to the dismantling of greenhouses and a change in the nature of crops. As a result, according to the Office for the Coordination of Humanitarian Affairs, unemployment has increased and communities that used to export food have been transformed into recipients of food aid. In addition, health and education services are difficult to access as they lie in what has become the Palestinian side of the barrier. Children, patients and workers have to pass through gates to reach schools, medical facilities and workplaces and to visit family members living on the other side of the wall.

28. For those granted permits, access is possible through a limited number of designated gates. Along the total length of the wall, there are 66 gates currently open on a daily, weekly or seasonal basis. Restricted opening times and the inconvenient location of some gates severely curtail the time available for farming, with a consequent negative impact on rural livelihoods.

29. As at the date of the present report, a 168-kilometre-long section of the wall separates East Jerusalem from the rest of the West Bank. Since 1993, the Government of Israel has erected checkpoints on roads leading to the city and required West Bank Palestinians to obtain permits to enter. Further restrictions were imposed following the beginning of the second intifada. The wall around East Jerusalem further tightens the network imposed to restrict the movement of Palestinians. In conjunction with the identification card and permit system and the series of checkpoints, the wall has weakened the social and economic connections between residents of East Jerusalem and the West Bank.

30. Furthermore, the wall encircles settlements built around Jerusalem and within the West Bank and connects them to Israel, ensuring that Israeli settlers have unimpeded access to Jerusalem. Over 80 per cent of all Israeli settlers living in the West Bank reside to the west of the wall. The settler population and the land area of the settlements have rapidly expanded, helped by the Israeli policy of expanding settlements and by the existence of the wall, which creates a new established border. According to the Israeli Ministry of the Interior, the settler population in the West Bank, excluding East Jerusalem, increased by 5.1 per cent in 2008, from an

¹⁰ The three sections nullified were around the settlement of Alfe Menashe (on 15 September 2005), around the villages of 'Azzun and Nabi Elias (on 15 June 2006) and the section by Bil'in (on 6 September 2007); see http://btsalem.org/English/Press_Releases/20080709.asp.

estimated 268,163 in January 2007 to 282,362 in January 2008.¹¹ At the same time, the wall weaves around and between East Jerusalem and West Bank towns and villages. In some cases it cuts through Palestinian communities, dividing neighbourhoods.

31. Because of the construction of the wall and the permits needed to enter Jerusalem through the four accessible checkpoints along the barrier,¹² access to specialist health care has become increasingly difficult for Palestinians of the West Bank and even those residing in areas of East Jerusalem. Movement restrictions also hamper medical staff from reaching their workplaces. Daily problems or delays for ambulances are also recurrent in emergency situations. In some cases, only after the intervention of the International Committee of the Red Cross, were Palestinian Red Crescent Society ambulances permitted to cross.

32. The wall is dividing students and teachers from their schools. Of the 33,000 students and 2,000 teachers in East Jerusalem schools, as many as 6,000 pupils and more than 650 teachers face difficulty reaching schools. The general school dropout rate increased across the Occupied Palestinian Territory in 2007, reaching 33.4 per cent among males and 27.4 per cent for females,¹³ and schools are also struggling to find qualified local staff. In contrast, schools in other areas face severely overcrowded classrooms, as students cut off from other institutions are obliged to move to schools on their side of the wall.

33. Security measures taken by IDF have also had an impact on access to religious sites, and with the construction of the wall, only Palestinian permit-holders from the West Bank can have access to places of worship in Jerusalem, such as the Al-Aqsa Mosque and the Holy Sepulchre. Even for Jerusalem identification holders, access to the mosque is not always guaranteed on Fridays, allegedly for security reasons, and young men may be checked several times before being allowed to enter Al-Haram al-Sharif.

34. During Christian religious seasons such as Christmas and Easter, it may be easier for West Bank Palestinians to obtain permits than at other times of the year. The difficulty of access and the general economic difficulties faced by Christians have resulted in significant emigration from places like Bethlehem.

35. By preventing the ordinary movement of people from the West Bank, the wall has caused the isolation of markets in East Jerusalem: traders and consumers from the West Bank no longer have access to its markets and most Israelis no longer travel to Palestinian areas. Gaza businesses are almost entirely cut off from the Jerusalem economy. As a result, shops struggle to pay municipal taxes and

¹¹ See <http://www.reliefweb.int/rw/rwb.nsf/db900sid/KKAA-7B35UX?OpenDocument>. The figure does not include approximately 200,000 settlers in East Jerusalem. According to the Office for the Coordination of Humanitarian Affairs, in 2007 there were more than 450,000 settlers living in 149 settlements in the West Bank, including East Jerusalem.

¹² Of the 18 functioning crossing points along the wall from the West Bank to Jerusalem, only 4 are accessible to West Bank identification card holders who have been granted permits, namely, the Qalandiya, Shu'fat Camp, Zaytoun and Gilo checkpoints. Of the 14 remaining crossing points, 8 are only for Israeli citizens, including those living in settlements in the West Bank, other Israeli residents, Palestinian Jerusalem identification holders and non-Israelis with valid visas.

¹³ See Palestinian Central Bureau of Statistics, <http://www.pcbs.gov.ps/desktopmodules/newsscrollEnglish/newsscrollView.aspx?ItemID=664&mID=11170>.

eventually often employ only family members to reduce costs or even succumb to financial pressure and close down. Significantly, unemployment in East Jerusalem is much higher than in Israel.¹⁴ According to the Palestinian Central Bureau of Statistics, general unemployment in the Occupied Palestinian Territory in the first quarter of 2008 was estimated to be around 28.9 per cent; specifically, 25.7 per cent in the West Bank and 35.5 per cent in the Gaza Strip (see also A/HRC/7/76 and A/HRC/8/17).

36. Commercial goods coming from the West Bank must pass through major commercial checkpoints in the wall. Traders need prior approval for trade permits for East Jerusalem, which involves a complex and expensive application processes. It is impossible for goods coming from the West Bank and Gaza to enter East Jerusalem unless they have travelled through an Israeli checkpoint.

37. Upon completion, 87 per cent of the wall will be located inside the West Bank, and 9.8 per cent of West Bank territory, including East Jerusalem, will be cut off from the rest of the West Bank. Approximately 420,000 settlers in 80 settlements and 285,000 Palestinians (including in East Jerusalem) will be located between the wall and the Green Line. Approximately 125,000 Palestinians in 28 communities will be surrounded on three sides by the wall, and 26,000 Palestinians in 8 communities will be surrounded on four sides.

C. Destruction of property and infrastructure in the Occupied Palestinian Territory

38. Since the 1993 Oslo Agreements, land in the West Bank has been divided into three areas. Area C, which accounts for approximately 61 per cent of the West Bank territory, remains under Israeli military authority as well as Israeli control over building and planning. Most of the building demolitions during the reporting period took place in that area on the grounds that owners lacked the correct building permits.

39. During the first quarter of 2008, Israeli authorities demolished 124 structures for lack of permits. Of those, 61 were residential buildings that caused the displacement of 435 Palestinians, 135 of whom were children. On 12 March, IDF destroyed residential structures, animal shelters and farm equipment in the Jordan Valley and the Qalqilia district, leaving 75 people homeless. On 11 June, Israeli authorities demolished three houses in East Jerusalem¹⁵ that had allegedly been built without permits. These houses had been inhabited by 25 people, including 18 children.

40. Strict limits are imposed on the demolition of property in occupied territory under international humanitarian law. Article 53 of the Fourth Geneva Convention stipulates that the destruction of property in an occupied territory is permitted only when rendered absolutely necessary by military operations.

¹⁴ In the third quarter of 2006, the unemployment rate was 19.3 per cent in East Jerusalem compared to 8.3 per cent in Israel.

¹⁵ See Palestinian Centre for Human Rights, Weekly Report No. 24/2008, http://www.pchrgaza.org/files/W_report/English/2008/12-06-2008.htm.

41. Both real and personal property, including immovable and movable assets within the house or its surroundings, are covered by this test of legality. However, international legal restrictions on demolitions were not respected during the reporting period. On 29 April, the High Court of Justice of Israel ruled that demolition orders issued by IDF regarding homes located outside the newly identified town limits of Al Aqaba village were lawful. The Israeli security forces had redefined the town limits, thereby reducing its expanse from 3,500 to 100 dunums. All houses outside the new restricted limits, amounting to approximately 60 per cent of the village's dwellings, have been issued with demolition notices. This will result in the displacement of approximately 211 people, including 130 children.

42. Furthermore, it is difficult for Palestinians to obtain building permits. The Israeli Coordinator of Government Activities in the Territories rarely issues building permits for Palestinians, frequently on the basis that the construction is in violation of the mandatory regional outline plans. Those plans, however, were approved by the British Mandate Government of Palestine in the 1940s and thus fall far short of meeting current requirements. Similar grounds are frequently given for the denial of appeals of demolition orders.

43. The loss of land and property has a significant impact on the enjoyment of fundamental rights by those affected. Among those fundamental rights are the rights to shelter and to the enjoyment of a standard of living that fosters human dignity. The demolition of the family home can have a lasting traumatic impact on civilians, and children may be particularly affected. Behavioural and emotional problems in children whose homes have been destroyed have been found to persist more than six months after the demolition, with a long-term impact on academic achievement and an increased likelihood that the child will leave school before graduation. Symptoms of psychological distress may also include increased aggression and depression. Families may become destitute, particularly when they cannot afford to rebuild their homes elsewhere.

44. Homelessness and severe poverty may be an increasingly significant implication of the demolition regime given the worsening economic situation facing the occupied territories. As a State party to the Convention on the Rights of the Child, Israel is obliged to make the best interests of children a primary consideration in any decision-making process that will affect their welfare. Furthermore, Israel is bound under the International Covenant on Civil and Political Rights to afford due protection to the family, as the fundamental and natural unit of society. The negative impact of the building permit and demolitions regime violates these international human rights obligations.

45. As the occupying Power, the Government of Israel has the authority and responsibility to manage State land under the planning and zoning laws that were in place at the time of the occupation. Under the Hague Regulations, Israel is permitted to benefit from the use of this land on a usufructuary basis, that is, to enjoy the fruits of the land without transferring the legal title away from the original owner. The construction of the wall, roads and settlements violates this rule because of the risk that the protected population will be permanently denied the benefits of the land.

D. Palestinians in Israeli prisons

46. According to Palestinian organizations,¹⁶ since the beginning of the Israeli occupation of Palestinian territories in 1967, more than 650,000 Palestinians have been detained by the Government of Israel.

47. As at 31 August there were 8,403 prisoners in Israeli jails and detention centres, 649 of whom were administrative detainees.¹⁷ Administrative detention is detention without charge or trial, authorized by an administrative order rather than by judicial decree. As such, it represents a serious violation of fundamental rights to due process contained in articles 9 and 14 of the International Covenant on Civil and Political Rights, which is binding on Israel both in the Occupied Palestinian Territory and in the Israeli State proper.

48. Serious concerns still exist regarding the conditions faced by Palestinians during detention. Torture and other forms of ill treatment continue to be prevalent in the context of the arrest and interrogation of persons suspected of posing a security threat. Prison conditions in Israel have been the subject of considerable criticism by human rights advocates, who regularly bring complaints to the authorities concerning torture and ill treatment. Complaints have been generally unsuccessful, and the Public Committee against Torture in Israel has consistently reported that the procedures used in investigating complaints of torture and ill treatment are inherently flawed and ineffective.¹⁸

49. Palestinian prisoners also continue to face other problems, such as inadequate access to health care and food. For women prisoners, sexual harassment, frequent body searches and physical intimidation reportedly take place. In addition, Palestinian minors in detention are not treated in accordance with international standards for the protection of juveniles deprived of their liberty.¹⁹

50. In terms of family visits, Palestinian detainees can normally only be visited by first-degree relatives. However, following the Hamas takeover of the Gaza Strip in June 2007, the Israeli authorities suspended visits from family members travelling from Gaza to Palestinian detainees in Israel. As a result of this decision, more than 900 detainees have been deprived of direct contact with their relatives for over one year.²⁰

51. Detainees and their families in Gaza can communicate only through messages conveyed by the International Committee of the Red Cross. In June 2008, Israeli and Palestinian non-governmental organizations petitioned the Israeli High Court to allow families from Gaza to visit their relatives in Israeli detention centres.²¹ As at the date of the present report, no decision had been taken.

¹⁶ See <http://www.addameer.org/detention/background.html>.

¹⁷ See http://www.btselem.org/english/statistics/Detainees_and_Prisoners.asp.

¹⁸ See http://www.unitedagainsttorture.org/inuyim%201_88.pdf.

¹⁹ See <http://www.addameer.org/detention/women.html> and <http://www.addameer.org/detention/children.html>. The age of 16 is considered the starting point of adulthood in Israeli prisons, not 18 as stipulated by the Convention on the Rights of the Child, to which Israel is a party.

²⁰ See <http://www.icrc.org/Web/Eng/siteeng0.nsf/html/israel-update-300608>.

²¹ See http://www.hamoked.org/news_main_en.asp?id=541.

III. Recommendations

52. In view of the worsening human rights situation in the Occupied Palestinian Territory, the United Nations reiterates its commitment to ensuring strong advocacy for the accommodation of the needs and the rights of civilians and reminds the parties of the fact that the primary responsibility for the protection of civilians rests with them.

53. The General Assembly and the international community should actively promote the implementation of the decisions, resolutions and recommendations of the Security Council, the International Court of Justice and the United Nations human rights mechanisms, including treaty bodies and special procedures mandate-holders.

54. The General Assembly should seek the assistance of the Security Council in the implementation of the 2004 advisory opinion of the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*.



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**Report of the Special Committee to Investigate Israeli
Practices Affecting the Human Rights of the Palestinian
People and Other Arabs of the Occupied Territories**

Israeli settlements in the Occupied Palestinian Territory, including Jerusalem, and the occupied Syrian Golan

Report of the Secretary-General

Summary

In its resolution 62/108, the General Assembly requested the Secretary-General to submit to the Assembly at its sixty-third session a report on the implementation of the resolution. The present report, which has been prepared by the Office of the United Nations High Commissioner for Human Rights, is submitted pursuant to that resolution. The period covered by the report is January to August 2008.

The report addresses the continuation of the construction of Israeli settlements in the occupied Arab territories with its associated system and violence by Israeli settlers against Palestinians.



I. Introduction

1. In its resolution 62/108 of 17 December 2007, the General Assembly expressed, inter alia, grave concern about the continuation by Israel, the occupying Power, of settlement activities in the Occupied Palestinian Territory, particularly about Israel's construction and expansion of settlements in and around East Jerusalem. It also expressed concern about the dangerous situation resulting from violent actions taken by the armed Israeli settlers in the occupied territory.

2. In the light of recent reports of the High Commissioner for Human Rights to the Human Rights Council (A/HRC/7/76 and A/HRC/8/17), which address the humanitarian situation in the Gaza Strip in 2008 and also deal with the killing of Palestinian and Israeli civilians as well as the firing of rockets against Israeli civilian areas, and of the submission, pursuant to General Assembly resolution 62/109, of the report of the Secretary-General on Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory (A/63/518), the present report addresses progress made in the implementation of resolution 62/108 concerning, specifically, the continuation in the construction of settlements in the occupied territory with its associated regime, as well as violence by Israeli settlers.

II. Legal background

A. International humanitarian law

3. The most relevant international humanitarian law standards concerning the responsibilities of Israel in the Occupied Palestinian Territory as the occupying Power are set out in the Hague Regulations and the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War.¹ In its 2004 advisory opinion on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territories* (see A/ES-10/273 and Corr.1), the International Court of Justice recalled that, while Israel is not a party to the 1907 Convention with respect to the Laws and Customs of War on Land, to which the Hague Regulations are annexed, the provisions of the Regulations have become part of customary international law. It also concluded that the Fourth Geneva Convention is applicable in the Palestinian territories which before the 1967 conflict lay to the east of the Green Line and which, during that conflict, were occupied by Israel. Since then, a number of United Nations resolutions have reaffirmed the applicability of the Fourth Geneva Convention to the Occupied Palestinian Territory.²

4. The advisory opinion and a number of United Nations resolutions have all affirmed that Israel's practice of constructing settlements — in effect, the transfer by an occupying Power of parts of its own civilian population into the territory it occupies — constitutes a breach of the Fourth Geneva Convention. In addition to the construction of the settlements, other activities related to settlements are also illegal. These include the requisition of land, the destruction of houses and orchards, the construction of roads meant for the use of settlers only, the exploitation of

¹ United Nations, *Treaty Series*, vol. 75, No. 973.

² See, for example, Security Council resolutions 446 (1979), 465 (1980), 469 (1980) and 471 (1980) and General Assembly resolution 61/118.

natural resources within the occupied territory and the alteration of the character and status of the Occupied Palestinian Territory. The international community has also raised concerns regarding the depletion of natural resources as a result of settlements.³

B. International human rights law

5. In its advisory opinion, the International Court of Justice concluded that the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the Convention on the Rights of the Child are applicable within the occupied territory.⁴ The position of United Nations human rights treaty bodies, which mirrors that of the International Court of Justice, is that Israel as a State party to international human rights instruments, continues to bear responsibility for implementing its human rights conventional obligations in the Occupied Palestinian Territory, to the extent that it continues to exercise jurisdiction in those territories.⁵ The Court also noted that the obligations of Israel under the International Covenant on Economic, Social and Cultural Rights include an obligation not to raise any obstacle to the exercise of such rights in those fields where competence has been transferred to Palestinian authorities (para. 112).

III. Israeli settlements in the Occupied Palestinian Territory and their impact on the enjoyment of human rights

6. The issue of Israeli settlements in the West Bank remains central to the question of the Occupied Palestinian Territory. From 1967 to the end of 2007, Israel established 120 settlements in the West Bank, excluding East Jerusalem, which were recognized by the Ministry of the Interior of Israel as Israeli "communities" within

³ See, for example, Security Council resolution 465 (1980), in which the Security Council, taking note of the reports of the Commission of the Council established under resolution 446 (1979) to examine the situation relating to settlements in the Arab territories occupied since 1967, including Jerusalem, expressed its concern and requested the Commission to continue to examine the situation relating to settlements in the Arab territories occupied since 1967, including Jerusalem, to investigate the reported serious depletion of natural resources, particularly the water resources, with a view to ensuring the protection of those important natural resources of the territories under occupation.

⁴ See paras. 102-113. The Court concluded that the protections offered by human rights conventions do not cease in cases of armed conflict and that the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the Convention on the Rights of the Child are applicable in respect of individuals within its jurisdiction of a State, even concerning those individuals under its jurisdiction outside its own territory.

⁵ An examination of the concluding observations of various United Nations treaty bodies confirms this view. In its concluding observations on Israel of 2003 (CCPR/CO/78/ISR), the Human Rights Committee reiterated that the provisions of the International Covenant on Civil and Political Rights apply to the benefit of the population of the occupied territories for all conduct by the State party's authorities or agents in those territories that affect the enjoyment of rights enshrined in the Covenant. Similarly, in its concluding observations on Israel of 2003 (E/C.12/1/Add.90), the Committee on Economic, Social and Cultural Rights reaffirmed its view that the State party's obligations under the Covenant apply to all territories and populations under its effective control. The Committee on the Elimination of Racial Discrimination drew a similar conclusion in its concluding observations on Israel of 2007 (CERD/C/ISR/CO/13, para. 32).

the occupied territory. Twelve other settlements are located on land annexed by Israel in 1967 and made part of the Israeli municipality of Jerusalem. In addition, there are approximately 100 "outposts", which are settlements unauthorized and unrecognized by the Israeli authorities.⁶ The 16 settlements built in the Gaza Strip and 3 settlements in the northern West Bank were dismantled in 2005 during implementation of the so-called disengagement plan.

7. Israeli settlement construction in the West Bank has taken place under every Government since the 1967 Arab-Israeli war. In 2007, there were more than 450,000 settlers living in 149 settlements in the West Bank, including East Jerusalem. According to the Israeli Ministry of the Interior, the settler population in the West Bank, excluding East Jerusalem, increased by 5.1 per cent, from an estimated 268,163 in January 2007 to 282,362 in January 2008.⁷ According to United Nations sources, almost 40 per cent of the West Bank is now taken up by Israeli infrastructure associated with the settlements, including roads, barriers, buffer zones and military bases.

8. According to figures from the Israeli Central Bureau of Statistics, construction in the settlements has increased in 2008 by a factor of 1.8 in comparison with the same period in 2007. The Israeli Ministry of Housing initiated 433 new housing units during the period from January to May 2008, compared with just 240 housing units during the period from January to May 2007.⁸

9. According to recent reports,⁹ as of August 2008, more than 1,000 new buildings were in the process of being constructed in the settlements, of which approximately 2,600 were housing units. Approximately 55 per cent of these new structures are located to the east of the separation wall. The number of tenders for construction in the settlements has increased by 540 per cent in 2008 (417 housing units, compared with just 65 in 2007). The number of tenders in East Jerusalem has increased by 3,728 per cent (1,761 housing units, compared with 46 in 2007). Furthermore, 125 new structures have been added to existing outposts, including 30 permanent houses.

10. Until the end of the 1970s, the Government of Israel claimed that the construction of settlements was undertaken and the associated regime of special roads implemented on the grounds of military necessity and security. In the 1990s, the justification for the closure regime imposed on Palestinians resident in the Occupied Palestinian Territory shifted, the emphasis being placed on the need to protect Israeli settlers and the settlements themselves.¹⁰

⁶ Data available from B'Tselem (<http://www.btselem.org/english/settlements/>).

⁷ See <http://www.reliefweb.int>. The figure does not consider the approximately 200,000 settlers in East Jerusalem. According to the Office for the Coordination of Humanitarian Affairs, in 2007, there were more than 450,000 settlers living in 149 settlements in the West Bank, including East Jerusalem ("The Humanitarian Impact on Palestinians of Israeli Settlements and Other Infrastructure in the West Bank", July 2007).

⁸ Construction initiated by the Israeli Housing Ministry accounted for 64 per cent of all of the construction counted in the West Bank by the Central Bureau of Statistics in recent months (Peace Now, "Eliminating the Green Line", August 2008, available at <http://www.peacenow.org>).

⁹ See Peace Now, "Eliminating the Green Line", August 2008.

¹⁰ See Israeli High Court of Justice, *Tabib et al. v. Minister of Defence* (202/81) Piskei Din 36(2)622 and *Ayub et al. v. Minister of Defence et al.* (258/79), Piskei Din 33(2)113, 119, quoted in "Forbidden Roads: Israel's Discriminatory Road Regime in the West Bank" B'Tselem, 2004, p. 7.

11. The Government of Israel committed itself, under phase I of the road map, to freeze all settlement activity from March 2001 (S/2003/529, annex). This was consistent with the recommendation contained in the Mitchell report of 2001, which states that Israel should freeze all settlement activity, including the “natural growth” of existing settlements, and that the kind of security cooperation desired by Israel cannot for long coexist with settlement activity.¹¹

12. The existence of settlements restricts the freedom of movement of Palestinians resident in the West Bank in several ways. The areas included within the municipal boundaries of settlements are designated “closed areas”, and Palestinians are prohibited from entering those areas unless they hold a specific permit (usually restricted to labourers and settlers themselves).¹² The actual built-up area settlements and their municipal boundaries consists of some 9 per cent of the total territory of the West Bank.¹³ Furthermore, additional land is included within the settlement regional jurisdiction. This includes land reserved for agricultural and industrial areas attached to settlements, areas for future settlement boundary expansion, and military closed areas around settlements, all of which are prohibited to Palestinians.

13. Despite the claim of the Government of Israel that the internal closure system within the West Bank is imposed on Palestinian residents there for security purposes, most of those internal restrictions on movement are largely premised on the protection of Israeli settlers and settlements and are designed to provide settlers with unobstructed travel capacity between settlements and to Israel itself.¹⁴ None of the restrictions on the freedom of movement of Palestinians apply to Israeli settlers or Israeli citizens travelling throughout the West Bank.¹⁵

14. The example of Gaza is illustrative of the relationship between the existence of settlements and the closure system imposed on Palestinians living in the West Bank. Following the Israeli disengagement and removal of the settlements from the Gaza Strip in August 2005, the need for internal closure became non-existent. This fact suggests that the presence of Israeli settlements in the West Bank has a similar effect in relation to the need to maintain the internal closure system operating there.

¹¹ Report of the Sharm el-Sheikh Fact-Finding Committee, 30 April 2001, available at www.yale.edu/lawweb/avalon/mideast/mitchell_plan.htm.

¹² Order Regarding Security Regulations (Judea and Samaria) (No. 378) (5730-1970), Declaration Concerning Closing an Area.

¹³ World Bank, “Movement and Access Restrictions”, May 2007, available at <http://domino.un.org/unispal.nsf/>.

¹⁴ Office for the Coordination of Humanitarian Affairs, “The Humanitarian Impact on Palestinians of Israeli Settlements and Other Infrastructure in the West Bank”. The report states: “As violence escalated in September 2000, the closure regime focused on those West Bank roads mainly used by Israelis to severely restrict Palestinian movement. These continuing measures are justified by the Government of Israel as necessary to protect Israeli citizens from terrorist attacks. As this report demonstrates, these measures are also intimately linked to maintaining settler access and their quality of life. The roads have become corridors to link settlements to Israel. They have also fragmented the West Bank, into a series of enclaves, isolating Palestinian communities from each other” (p. 124).

¹⁵ A clear example is the restrictions on the movement of Palestinians within the market area of Hebron, justified as part of the general operational plan that is designed to provide security to the Jewish settlement bloc in the city (World Bank, “Movement and Access Restrictions”).

15. The right to an adequate standard of living is guaranteed under article 11 of the International Covenant on Economic, Social and Cultural Rights. That right encompasses the right to food, the right to the highest attainable standard of health, the right to water, the right to necessary social services, the right to clothing and the right to housing. The enjoyment of all of those rights by Palestinians living in the occupied territory has been negatively affected by the impact of the settlements, including the associated security regime to protect the settlements and by repeated instances of settler violence.

16. The freedom of movement of Palestinians living in the West Bank has been limited by a number of measures designed to increase the security of the settlements. Some roads in the West Bank have been designated for the use of settlers only, with a complete ban on the use of such roads by Palestinians. Likewise, Palestinians are not permitted to approach the settlement areas for the purposes of farming or herding.¹⁶

17. The right of Palestinians in the West Bank to own property has consequentially been affected by the settlements. The building of settlements has entailed expropriation and destruction of private Palestinian lands contrary to articles 53 of the Fourth Geneva Convention and articles 46, 52 and 23 (g) of the Hague Regulations. Land owned by Palestinian farmers has been requisitioned and homes have been demolished in order to construct settlements. In addition, the construction of the barrier and roads for the exclusive use of settlers has caused further appropriation of land.

Confiscation of land

18. It is estimated that that 33 per cent of settlements and land incorporated into settlement areas is private land owned by Palestinians.¹⁷ Much of this private land was expropriated by the State of Israel on grounds of military necessity, or under land appropriation laws. Evidence suggests that initially the establishment of settlements was justified on the grounds of military necessity and security. As with the road system, it was claimed during the 1970s that the settlements served a security function. This was sanctioned by the Israeli High Court of Justice, thereby justifying the expropriation of Palestinian private land.¹⁸ However, in 1979, the Court ruled that a proposed settlement was not legal, since it was evident to the Court that it was intended not to serve a temporary security purpose but to be permanent.¹⁹

19. Following that decision, the Government of Israel has shifted its policy of expropriation of private land based on military necessity and security grounds to one of constructing settlements on public or State lands or appropriating land under the civil laws in place since before the occupation. The Government of Israel has since

¹⁶ These restrictions are in violation of article 12 of the International Covenant on Civil and Political Rights, article 5 (d) of the Committee on the Elimination of Racial Discrimination, article 13 of the Universal Declaration of Human Rights and article 10(2) of the Convention on the Rights of the Child.

¹⁷ World Bank, "Movement and Access Restrictions"; "Breaking the Law in the West Bank: The Private Land Report", Peace Now, November 2006.

¹⁸ High Court of Justice, *Arub et al. v. Minister of Defence et al.* (258/79), Piskei Din 33(2)113, 119.

¹⁹ High Court of Justice, *Doukat v. Government of Israel*, Piskei Din 34(1), 13 (1979) ("Elon Moreh Case"); see *Palestine Yearbook of International Law*, 1984, p. 134.

declared that land in the West Bank is to be considered State land until proven otherwise.²⁰ This is done under Ottoman land laws according to which land left fallow for three years reverts to the State.²¹ Land may be seized either because no one can prove ownership in accordance with the required standard of evidence or because the area in which the land is situated is declared a closed military zone which farmers are prohibited from entering. After three years, such unused land may be declared abandoned according to the Ottoman land law, and ownership reverts to the State. Accordingly, it is estimated that as much as two thirds of land in the West Bank could be classified as State lands. The Planning Council of the Civil Administration may then apportion the land to existing or new settlements. Once the land is apportioned to a settlement, Palestinians are prohibited from accessing the area. The seizure of land in such circumstances or the declaration of a closed military zone necessarily has an impact on the freedom of movement of Palestinians and restricts their freedom to choose a residence by preventing access to homes and land. The Government of Israel claims that such settlements do not violate international humanitarian law since they are constructed on public lands and do not displace the inhabitants of the Occupied Palestinian Territory.

20. More recently, particularly following the Oslo Accords of 1993, an alternative method of expropriating Palestinian land for the construction of settlements has been employed under the Jordanian planning laws,²² which permit expropriation for

²⁰ B'Tselem, "Israeli Settlement in the Occupied Territories as a Violation of Human Rights: Legal and Conceptual Aspects", 1997, available at www.btselem.org.

²¹ In the early 1980s, the Government of Israel reinterpreted the Ottoman land code to permit the Commander of the Israeli Defense Forces in the West Bank to declare as "State land" uncultivated miri land that had not been registered during the British Mandate or Jordanian rule. Between 1980 and 1984, the Government of Israel declared some 80,000 hectares of the West Bank as State land — sometimes without formally notifying the farmers who had cultivated it for generations (B'Tselem, "Land Grab: Israel's Settlement Policy in the West Bank", 2002). Furthermore, lands enclosed within closed areas or closed military zones, when left uncultivated for three years are also declared State lands and the land largely apportioned for settlements (M. Benvenisti, *The West Bank Data Project: A survey of Israel's policies*, American Enterprise Institute for Policy Research, Washington, D.C., 1984, p. 32). Some areas declared State land were not actually enclosed within closed zones immediately, and in some circumstances farmers continued to cultivate such land. However, with lands now enclosed within the seam zone, to which access has been denied to the owners, it appears that such land will be declared State lands and appropriated for further settlement construction or expansion.

²² In Area C of the West Bank, the Government of Israel retains authority for zoning and construction planning permits. The Jordanian City, Village and Building Planning Law (No. 79) (1966) serves as the basis for all planning activities, and its provisions are used to determine the size, zoning and location of each unit of land. It determines three levels of plans — regional outline plans, general local outline plans and detailed plans — and corresponding institutional systems such as the Supreme Planning Council and district and local planning committees, and determines the mechanisms for consultations, public participation, publication and objections. The ambit of the law applies to housing, industry, roads and public institutions. The law was modified by military order in 1971, and subsequent amendments transferred the power from the Jordanian Ministry of the Interior to the Military Commander of the West Bank and introduced major changes, particularly to the planning system, by replacing Palestinians on the planning committees with Israeli security forces officials and settlers: Order Concerning the City, Village and Building Planning Law (Judea and Samaria) (No. 418) (5371-1971), sect. 2(2)(3). The Supreme Planning Council became a part of the Civil Administration, and all district planning committees and planning authorities of village councils were eliminated, their powers transferred to the Supreme Planning Council of the Civil Administration. See also World Bank, "Movement and access restrictions".

the “benefit of the population”, despite the fact that access by the Palestinian population to such lands within settlement boundaries is prohibited. Israeli control of the Supreme Planning Council, which forms part of the Civil Administration, particularly in Area C,²³ has also been instrumental in promoting the growth of settlements and limiting the development of Palestinian towns and villages.²⁴

IV. Israeli settlement activities in the Occupied Palestinian Territory

21. As already noted, the settlements are supported by a road network that includes roads reserved for the use of settlers, and others that are restricted to Palestinian residents at certain times, which impede the freedom of movement of Palestinian communities. The construction of the barrier to include settlement areas also contributes to the isolation of Palestinian communities. More than 80 per cent of all Israeli settlers living in the West Bank reside on the western side of the barrier. The barrier’s route weaves between some Palestinian villages and neighbourhoods, contributing to the fragmentation of the West Bank into a series of Palestinian enclaves separated from one another by settlements, outposts, military areas, natural reserves, the wall and the restricted/prohibited roads.

A. The wall

22. According to available maps, the route of the wall in the West Bank has been largely determined by the location of settlements and the security of settlers.²⁵ The other side of this rationale, according to the Office for the Coordination of Humanitarian Affairs, is that densely populated Palestinian areas that are inside the Jerusalem municipal boundary are separated from the city by the wall.

23. The wall encircles settlements built around Jerusalem and within the West Bank and connects them to Israel, ensuring that Israeli settlers, 80 per cent of whom reside to the west of the wall, have unimpeded access to Jerusalem. The settler population and the land area of settlements have rapidly expanded, helped by the existence of the wall, which creates a de facto demarcation. At the same time, the wall weaves around and between East Jerusalem and West Bank towns and villages, dividing Palestinian communities and neighbourhoods in several places.

24. Public pronouncements by senior officials of the Government of Israel would seem to indicate that the construction of the wall and the determination of its route by the Government is not premised solely on security considerations, but is to a great degree determined by the desire to include on the Israeli side of the wall as many Israeli settlements as possible and to exclude as many Palestinians as

²³ The division of the West Bank under the 1993 Oslo Accords resulted in the majority of the territory, Areas B and C, remaining under Israeli control, leaving Palestinian “A” areas in isolated, non-contiguous zones. Israeli settlements were located mostly in Area C in a contiguous area of territory linked to Israel itself. Most of the main roads fell into Area C. Travel between “A” areas necessitated passing through areas controlled by Israel and along Israeli-controlled roads.

²⁴ See “Land Grab: Israel’s Settlement Policy in the West Bank” B’Tselem, May 2002, p. 85.

²⁵ Maps are available at http://www.ochaopt.org/?module=displaysection&section_id=130&static=0&format=html.

possible.²⁶ A political purpose connected with the wall is suggested by statements made by the former Prime Minister, Ariel Sharon, and the then Minister of Justice, Tzipi Livni.²⁷ Further, the Israeli State Attorney's Office has acknowledged that the expansion of settlements was taken into account in the planning of the route of sections of the barrier.²⁸

25. It is important to note that, upon completion, 87 per cent of the wall will be located inside the West Bank, and that 9.8 per cent of West Bank territory, including East Jerusalem, will be cut off from the rest of the West Bank. Approximately 420,000 settlers in 80 settlements and 285,000 Palestinians (including in East Jerusalem) will be located between the wall and the Green Line. Approximately 125,000 Palestinians in 28 communities will be surrounded on three sides by the wall, and 26,000 Palestinians in 8 communities will be surrounded on four sides.²⁹

B. Bypass roads

26. The severe restrictions on Palestinian access to certain roads within the Occupied Palestinian Territory is one of the policies sustaining settlements. As with the wall, roads are being built allegedly for the security of Israeli settlers and settlements. The concept of the bypass road system is aimed at enabling Israeli settlers to travel between settlements without having to pass through Palestinian-inhabited areas.

27. Since 1967, Israel has established a network of roads throughout the Occupied Palestinian Territory, allegedly to support military needs and to improve infrastructure for the benefit of the Palestinian people.³⁰ The construction of roads in the West Bank has been sanctioned by the High Court of Justice of Israel on the basis of military necessity and the security of Israeli citizens.³¹

²⁶ See "The Humanitarian Impact on Palestinians of Israeli Settlements and Other Infrastructure in the West Bank", Office for the Coordination of Humanitarian Affairs, p. 124, which states: "The construction of the barrier since 2002 has further fragmented the West Bank and has reinforced the permanence of the settlements. The route of the barrier is determined by the settlements. The barrier cuts deep into the West Bank, looping around the settlements, stretching 22 km to encircle Ariel settlement at its most intrusive point. Without the settlements, the barrier could follow the Green Line with minimal disruption to Palestinian life."

²⁷ Ariel Sharon, while addressing members of the Jewish community in Paris on 28 July 2005, stated that as a result of the wall "Israel has gained unprecedented political achievements", including "a guarantee that the major population centres in Judea and Samaria (that is, the West Bank) will remain part of Israel in any final status agreement; and there will be no return to the 1967 borders" (E/CN.4/2006/29, para. 26). The Israeli Minister of Justice, Tzipi Livni, acknowledged on 30 November 2005 that "one does not have to be a genius to see that the fence will have implications for the future border. This is not the reason of its establishment, but it could have political implications". (*Ha'aretz*, 1 December 2005).

²⁸ See High Court of Justice, *Beit Sourik Village Council et al. v. Government of Israel et al.* (2056/04), sect. 80.

²⁹ See "The Humanitarian Impact of the Barrier: Four Years After the Advisory Opinion of the International Court of Justice on the Barrier", Office for the Coordination of Humanitarian Affairs, July 2008, update No. 8.

³⁰ See "Humanitarian Impact on Palestinians of Israeli Settlements and Other Infrastructure in the West Bank", Office for the Coordination of Humanitarian Affairs.

³¹ See High Court of Justice, *Tabib et al. v. Minister of Defence* (202/81), Piskei Din 36(2) 622; High Court of Justice, *Ayub et al. v. Minister of Defence et al.* (258/79), Piskei Din 33(2) 113, 119. Quoted in "Forbidden Roads", pp. 8-9.

28. Maps produced by the Office for the Coordination of Humanitarian Affairs show that a two-tiered road system has been established throughout the West Bank in which the main roads are reserved for the exclusive use of Israeli settlers and Israeli security personnel, while Palestinians are confined to a secondary network of roads that are in inferior condition. The maps reveal that the vast majority of Israeli-built roads in the West Bank form a network linking the Israeli settlements with one another and to Israel itself.³² The Office has estimated that Palestinians are denied free access to approximately 1,500 km of road within the West Bank.

29. In some instances, Israeli settlers themselves have commenced road construction illegally on privately owned Palestinian land without obtaining prior authorization and without subsequent action or intervention by the Israeli security forces.

C. Prohibited roads

30. Roads in the West Bank fall into three categories: completely prohibited, partially prohibited and restricted-use roads.³³ According to the Office for the Coordination of Humanitarian Affairs, prohibited roads include some 20 major and regional roads throughout the West Bank. Most prohibited roads comprise the major north-south and east-west routes in the West Bank. These are reserved for settlers, Israeli security forces and non-Palestinian international passport holders, including international United Nations staff.¹³ Travel on these roads by Palestinian residents and vehicles bearing Palestinian number plates is completely forbidden. Emergency services and commercial vehicles are also covered by this blanket prohibition.³⁴

31. Access to some prohibited roads is controlled by staffed checkpoints, while in other cases access is prevented by physical barriers such as earth mounds, fences, iron gates and trenches. Where a prohibited road cuts across a Palestinian road, Palestinians are forbidden from crossing the prohibited road by car. In order to cross the prohibited road, Palestinians must alight from their vehicle, cross the road on foot and find another vehicle on the other side to continue their journey.³⁵

32. Partially prohibited roads are those for which a special permit is required; such permits are applied for in the same manner as normal movement permits for individuals. Some public-transport companies have been granted permits, including bus companies, which run buses between the checkpoints that regulate access to all major Palestinian cities.

³² It seems that some of the roads in the West Bank were planned so as to place a physical barrier to inhibit Palestinian development, since their routes often cut through Palestinian areas to create fragmented enclaves. In fact, the Settlement Plan for 1983-1986 specifically stated that a primary consideration in choosing the route of a road and the placement of settlements should be to limit the expansion and construction of Palestinian villages; see "Land Grab: Israel's Settlement Policy in the West Bank", B'Tselem, May 2002, chap. 8; see also "Forbidden Roads", p. 6.

³³ *Waiting for Justice: Al-Haq: 25 Years of Defending Human Rights (1979-2004)*, p. 87; see also "Forbidden Roads".

³⁴ See "The question of freedom of movement and the impact of the 'separation barrier' on it in the territories occupied by Israel", European Union, 2006.

³⁵ See *Waiting for Justice*; "Forbidden Roads"; and "The Question of Freedom of Movement".

33. Palestinian travel is entirely or partially prohibited on some 41 roads and sections of roads throughout the West Bank, including many of the main arterial routes covering some 700 km of road.³⁶

34. Restricted roads are those that can be accessed only through an intersection at which a checkpoint stands. Individuals travelling on such roads who are not from the local area must have a permit. On passing the checkpoint, all vehicles are searched, and permits are checked by Israeli security forces. There are usually significant delays involved in passing through these checkpoints.³⁷ In the West Bank, Palestinian vehicles that are stopped for any suspected infringement of traffic laws will be searched and confiscated if the driver is found not to have the appropriate permit.

35. The road-classification system and the physical obstructions present on roads throughout the West Bank, in conjunction with the permit system, serve to divide the West Bank into six separate areas and to control or inhibit the movement of Palestinians in the Occupied Palestinian Territory. The prohibition on travel along many main roads means that Palestinians must make long and convoluted detours to reach their destination, often on substandard roads. According to the Office for the Coordination of Humanitarian Affairs, since the restrictions apply also to commercial vehicles, there is a significant increase in the time required for, and the cost of, transporting produce and other commodities throughout the West Bank.

36. The establishment of roads reserved for the exclusive use of the occupants of settlements is discriminatory and in violation of the prohibition against discrimination based on article 3 (1), article 13 and article 27 of the Fourth Geneva Convention. International human rights law insists that there must be no unlawful discrimination even in times of national emergency, such as has not been declared by the Government of Israel.

D. Checkpoints

37. Access to the restricted or prohibited road network is controlled by flying (i.e., temporary and moveable) and permanent checkpoints. Furthermore, there is a variety of physical barriers, such as earth mounds, fences, gates, trenches and earth walls, which physically prohibit Palestinians from accessing such roads. The effect of the prohibited and restricted road network, coupled with checkpoints and other physical obstacles to travel, is that circuitous and lengthy journeys are required to travel from one village to another or from one area to another, or that people are unable to travel between them at all. This inevitably disrupts many aspects of the daily life of Palestinians (see <http://www.ochaopt.org>).

³⁶ For example, routes 463, 466 and 443 (linking Jerusalem and the settlements surrounding it with Tel Aviv) and 557 (from Elon Moreh and Itamar settlements, effectively isolating 14,000 Palestinian villages from Nablus and the rest of the West Bank) are solely for use by Israeli citizens; see "The Question of Freedom of Movement"; see also "Forbidden Roads".

³⁷ See "Forbidden Roads".

V. Settler violence in the occupied territory

38. There have been reports of incidents of violence committed by Israeli settlers, including vandalism of crops, the killing of livestock, the poisoning of water wells, the blocking of roadways, the destruction of cars and the verbal abuse of and assaults on Palestinians. According to the Office for the Coordination of Humanitarian Affairs, from January 2008 until the end of July, 270 incidents of violence committed by settlers were reported, resulting in injury to approximately 50 Palestinians. International humanitarian workers have also been attacked; for instance, in July 2008, a group of Palestinian children walking to a summer camp in Tuwani village (Hebron) were attacked by settlers, and the international worker accompanying them was injured.

39. On 10 May 2008, settlers from areas south of Bethlehem reportedly took over a Palestinian house belonging to the Arts church in the south of the city. Allegedly, Israeli soldiers were present but did not intervene. On 30 May, settlers threw stones at a Palestinian house located close to the southern fence of Kiryat Arba settlement; soldiers who were present allegedly failed to halt the attack.³⁸ Over a period of three days in mid-June 2008, hundreds of settlers reportedly besieged the villages of Howwrah, Boreen and 'inYbous, south of Nablus. The settlers were reported to have blocked the main road leading from the villages to Nablus. On the second day, the settlers allegedly set fire to and destroyed 100 dunums of land planted with olive trees on a hill near Howwrah village. It was reported that Palestinian firemen who came to extinguish the fire were stopped by Israeli security forces.³⁹ The particular nature of those attacks, targeting property including agricultural land belonging to Palestinian farmers, is significant in the broader context of land appropriation.

40. In January 2007, B'Tselem, an Israeli human rights organization, launched the "Shooting Back" advocacy project, through which the organization provides video cameras to Palestinians living close to settlements, with the stated purpose of bringing the reality of their lives under occupation to the attention of the Israeli and international public, exposing and seeking redress for violations of human rights. Since January 2007, many of the attacks have been filmed and brought to the attention of the authorities and of the public.⁴⁰

41. It appears that the Israeli authorities have failed to adequately ensure public order to protect Palestinians from criminal attacks by settlers. Some incidents of settler violence were allegedly not investigated promptly or at all by the Israeli authorities, in violation of article 43 of the Hague Regulations, which obliges the occupying Power to take all measures within its power to restore, and ensure, as far as possible, public order and safety, while respecting, unless absolutely prevented, the laws in force in the country.

³⁸ "Settler Violence Report: May and June 2008", Alternative Information Centre, July 2008.

³⁹ Settler violence incidents are also reported in *The Humanitarian Monitor*.

⁴⁰ All documented attacks are available at <http://www.biselem.org/english/OTA/?WebbTopicNumber=01&image.x=14&image.y=7>.

VI. Israeli settlements in the occupied Syrian Golan

42. As at the end of June 2008, some 18,000 Israeli settlers were estimated to be living in 32 settlements in the occupied Syrian Golan.⁴¹ Construction of infrastructure and housing was pursued actively in 2007 and early in 2008, notwithstanding calls by the international community to halt construction in the occupied territories and despite the fact that the Golan Heights is on the agenda of recent peace talks between the Syrian Arab Republic and Israel.⁴²

43. The detrimental impact of the Israeli occupation of the Golan on the livelihoods of the local population relates to the restrictions on land cultivation and farming. The alleged confiscation of land belonging to Syrian citizens, the uprooting and destruction of trees and seedlings, and discrimination with regard to access to water and construction permits affect Syrian citizens living in the occupied Golan. The consequent economic difficulties have been exacerbated by a particularly harsh winter, which destroyed much of the 2007 harvest. Land that is left uncultivated is subject to confiscation by the Israeli authorities.⁴³

44. According to the Arab community of Majdal Shams, the Israeli water authority had initially allocated 750 cubic metres (m³) of water per dunum of land to Israeli settlers. Arab farmers were allocated a quota of 150 m³ per dunum. Recently the two quotas have been reduced to 450 m³ and 90 m³, respectively. As a result of these unequal quotas, Syrian citizens are unable to produce the same quantity of high-quality apples per dunum of land as Israeli settlers in the region. In addition, Syrian citizens directly pay more for water as a result of an indirectly discriminatory tariff system. These conditions, as well as discrimination with regard to subsidies, combined with a high dependency on the Israeli market, mean that cultivation has become increasingly difficult for Syrian citizens of the Golan.⁴³

45. Such practices are contrary to the standards and principles set out by the International Labour Organization concerning equality of opportunity and treatment in employment and occupation, which include the right to equal access to natural and other resources, including subsidies, without discrimination.

VII. Recommendations

46. In view of the worsening human rights situation in the occupied Palestinian territory, the protection of both Palestinian and Israeli civilians requires action by all parties and the international community. As such, all parties to the conflict should cease all actions violating international human rights and humanitarian law.

47. The Government of Israel should abide by its commitments as stated in the road map and reiterated in the Annapolis joint statement of November 2007, namely, to immediately dismantle settlement outposts erected since March 2001 and to freeze, consistent with the Mitchell report, all settlement activity (including natural growth of settlements).

⁴¹ See <http://www.securitycouncilreport.org/site/c.gIKWLeMTIsG/b.4311487/>.

⁴² See *Ha'aretz*, 27 May 2008; <http://www.haaretz.com/hasen/spages/987462.html>.

⁴³ See "The situation of workers of the occupied Arab territories", International Labour Organization, at <http://www.ilo.org>.

48. The Government of Israel should take action to halt attacks by Israeli settlers against the civilian population of the occupied territory and ensure that a proper investigation is carried out in regard to incidents caused by such settlers and that redress is given to the victims of such violence.

49. The General Assembly and the international community should actively promote the implementation of its decisions, resolutions and recommendations and those of the Security Council, the International Court of Justice and the United Nations human rights mechanisms, including treaty bodies and special procedure mandate-holders.



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**Financing of the United Nations peacekeeping forces in the
Middle East: United Nations Interim Force in Lebanon**

Performance report on the budget of the United Nations Interim Force in Lebanon for the period from 1 July 2007 to 30 June 2008

Report of the Secretary-General

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Summary

The present report contains the performance report on the budget of the United Nations Interim Force in Lebanon (UNIFIL) for the period from 1 July 2007 to 30 June 2008.

The total expenditure for UNIFIL for that period has been linked to the Force's objective through a number of results-based-budgeting frameworks, grouped by components, namely, operations and support.

Performance of financial resources

(Thousands of United States dollars. Budget year is from 1 July 2007 to 30 June 2008.)

Category	Apportionment	Expenditure	Variance	
			Amount	Percentage
Military and police personnel	375 536.2	298 188.3	77 347.9	20.6
Civilian personnel	109 419.8	78 731.2	30 688.6	28.0
Operational costs	228 630.8	214 669.5	13 961.3	6.1
Gross requirements	713 586.8	591 589.0	121 997.8	17.1
Staff assessment income	11 871.5	9 168.3	2 703.2	22.8
Net requirements	701 715.3	582 420.7	119 294.6	17.0
Voluntary contributions in kind (budgeted)	—	—	—	—
Total requirements	713 586.8	591 589.0	121 997.8	17.1

Human resources incumbency performance

Category	Approved ^a	Actual (average)	Vacancy rate (percentage) ^b
Military contingents	15 000	12 806	14.6
International staff	410	302	26.3
National staff	871	589	32.4
Temporary positions ^c			
International staff	7	4	42.9

^a Represents the highest level of authorized strength.

^b Based on monthly incumbency and approved monthly strength.

^c Funded under general temporary assistance.

The actions to be taken by the General Assembly are set out in section V of the present report.

I. Introduction

1. The budget for the maintenance of the United Nations Interim Force in Lebanon (UNIFIL) for the period from 1 July 2007 to 30 June 2008, set out in the report of the Secretary-General of 19 April 2007 (A/61/870 and Corr.1), amounted to \$713,586,800 gross (\$701,715,400 net). It provided for 14,382 military contingents, 417 international staff and 871 national staff, including temporary positions.
2. On the basis of the recommendation of the Advisory Committee on Administrative and Budgetary Questions, in paragraph 25 of its report (A/61/852/Add.16), the General Assembly, by its resolution 61/250 C, appropriated an amount of \$713,586,800 gross (\$701,715,400 net) for the maintenance of the Force for 2007/08. The total amount has been assessed on Member States.

II. Mandate performance

A. Overall

3. The mandate of UNIFIL was established by the Security Council in its resolutions 425 (1978) and 426 (1978), expanded in its resolution 1701 (2006) and extended by the Council in subsequent resolutions. The mandate for the performance period was provided by the Council in its resolutions 1701 (2006) and 1773 (2007).
4. The Force is mandated to help the Security Council achieve an overall objective, namely, to restore international peace and security in southern Lebanon.
5. Within this overall objective, the Force has, during the reporting period, contributed to a number of accomplishments by delivering related key outputs, shown in the frameworks below, for the operations and support components.
6. The present report assesses actual performance against the planned results-based-budgeting frameworks set out in the 2007/08 budget. In particular, the report compares the actual indicators of achievement, that is, the extent to which actual progress has been made during the period against the expected accomplishments, with the planned indicators of achievement, and the actually completed outputs with the planned outputs.

B. Budget implementation

7. During the reporting period, UNIFIL, in close cooperation with the Lebanese Armed Forces, continued to work to further stabilize the area of operations in the aftermath of the 2006 conflict. In addition, the Force undertook its regular operational activities of monitoring the cessation of hostilities, preventing violations of the Blue Line and ensuring that the area of operations was free of unauthorized armed personnel, assets and weapons, through the conduct of regular patrols. The Maritime Task Force continued to patrol and conduct maritime interdiction operations along the Lebanese coastline. In addition, UNIFIL intensified its cooperation with the Lebanese Armed Forces by increasing the number of training activities and military exercises, as well as by establishing closer cooperation and coordination on operational activities, such as the establishment of co-located checkpoints. UNIFIL continued to facilitate and lead tripartite meetings as a forum

of coordination between Lebanese and Israeli armed forces on security matters. During the reporting period, the Tripartite Coordination Group served as a regular monthly forum for discussions on operational and security matters by both parties. UNIFIL also used this mechanism to increase levels of confidence and trust between Lebanese and Israeli armed forces, to reduce levels of tension and to prevent any outbreak of hostilities.

8. During the reporting period, relations between the local population in southern Lebanon and UNIFIL troops were of critical importance to the implementation of the mandate. New military units for Civilian-Military Cooperation and Military Community Outreach were deployed to the mission within the authorized strength of UNIFIL.

C. Regional mission cooperation

9. UNIFIL continued to cooperate with other United Nations missions in the region. The United Nations Peacekeeping Force in Cyprus (UNFICYP) provided medical support, including medical evacuations for UNIFIL personnel. UNIFIL continued to provide logistic and administrative support to the Observer Group Lebanon of the United Nations Truce Supervision Organization (UNTSO), including the upgrade of communications systems. Administrative support was also provided to the Office of the United Nations Special Coordinator for Lebanon. UNIFIL continued to cooperate with the Economic and Social Commission for Western Asia on regional information, including cost-of-living surveys, and provided procurement and engineering support to the International Independent Investigation Commission. The Security Information Operations Centre of the United Nations Development Programme in Beirut provided daily security clearances to UNIFIL staff travelling to Beirut. During the reporting period, a regional coordination conference was held with heads of mission support/administration of the United Nations Disengagement Observer Force, the International Independent Investigation Commission, UNFICYP, UNTSO and the Office of the United Nations Special Coordinator for Lebanon. Based on the regional cooperation initiative, training support, including in procurement, was extended to other missions in the region.

D. Mission support initiatives

10. During the reporting period, UNIFIL completed four of the six engineering projects and security-related infrastructure projects planned, as well as the remaining activities related to the refurbishment of the Force headquarters in Naqoura, including the construction of residential and office accommodation for staff officers, a dining facility and offices for civilian personnel and ground work/road works within Force headquarters. In addition, the fragile security situation in the mission area, including attacks on UNIFIL peacekeepers, necessitated the enhancement of security measures for the protection of the personnel and property of the Force, which resulted in additional requirements related to the acquisition of additional safety and security equipment, armoured vehicles and additional 4 x 4 vehicles as well the acquisition of electronic countermeasures equipment/jammers, which were installed on the additional 4 x 4 vehicles.

E. Results-based-budgeting frameworks

Component 1: operations

11. The operations component encompassed the continuation of operational activities to prevent violations of the Blue Line, prevention of the resumption of hostilities and the establishment of an area that is free of unauthorized armed personnel, assets and weapons, in cooperation with the Lebanese Armed Forces.

Expected accomplishment 1.1: stable and secure environment in southern Lebanon

<i>Planned indicators of achievement</i>	<i>Actual indicators of achievement</i>
Absence of air, sea, or ground incursions or firing incidents across the Blue Line	3,182 air violations, 4 sea violations, 25 minor ground violations and 1 probable rocket-firing incident recorded by UNIFIL; 5 firing incidents in Lebanese airspace and 1 firing incident in the northern area of the village of Ghajar
Lebanese Armed Forces deployed throughout the entire area south of the Litani River	Four Lebanese Armed Forces brigades deployed throughout the UNIFIL area of operations, with the exception of the northern area of the village of Ghajar
Area between the Litani River and the Blue Line is free of armed personnel, weapons and related materiel, except for those of the Lebanese Armed Forces and of UNIFIL	Except for an incident which prevented the freedom of movement of a UNIFIL patrol and the presence of occasional hunters, no reported cases of unauthorized armed personnel in the area of operations. During the reporting period, UNIFIL located infrastructure, weapons and associated materiel in the area of operations with no evidence of their use after 14 August 2006
Participation by both parties in meetings of the Tripartite Coordination Group to promote confidence-building	Achieved. 10 Tripartite Coordination Group meetings held during the reporting period

<i>Planned outputs</i>	<i>Completed (number or yes/no)</i>	<i>Remarks</i>
860,100 mobile patrol person days (10 troops x 235 patrols x 366 days)	1 116 300	Mobile patrol person days (on average, 10 troops per patrol x 305 patrols per day x 366 days) The higher output was attributable to the evolving operational environment, including the fragile security situation following attacks against UNIFIL.
109,800 mobile patrol person days as an initial reserve capacity, then a quick reaction capacity for the reconnaissance of areas of tension, reconnoitring and intervention, if required, in crisis situations to support other units (10 troops x 30 patrols x 366 days)	153 720	Mobile patrol person days (on average, 10 troops per patrol x 42 patrols per day x 366 days) The higher output resulted from the increase in the daily reserve capability stemming from the evolving operational environment and fragile security situation

538,020 manned observation post person days (7 troops per post x 3 shifts per post x 70 posts x 366 days)	546 804	Manned observation post person days (on average, 7 troops per post x 3 shifts per post x 63 posts x 366 days and 3 troops per post x 1 shift x 57 posts x 366 days) The higher output resulted from the establishment of 57 additional temporary/random observation posts on a daily basis for continuous monitoring of the area of operations
480 air patrol hours along the Blue Line	496	Air patrol hours The higher output was due to the intensification of the patrolling of the Blue Line
1,221 flight hours for investigation of incidents and operational movements for transport of combat assets, reconnaissance, command and control function, and liaison	1 957	Flight hours The higher output was attributable to increased requirements for the transport of UNIFIL personnel to and from Beirut by air and the conduct of specific missions following security incidents, including the quick deployment of security inquiry and investigation teams following security incidents
342,210 naval patrol person days to monitor the maritime border of Lebanon, including joint Lebanese Armed Forces operational exercises (average of 3 frigates x 230 troops per boat x 366 days; 7 fast patrol boats x 35 troops per boat x 366 days)	307 159	Naval patrol person days (on average, 3 to 4 frigates x 210 to 260 troops per boat x 366 days and 3 to 4 fast patrol boats x 30 to 90 troops per boat x 366 days) The lower output was attributable to the continuous rotation of vessels with varying numbers of naval personnel, to weather restrictions and to the reconfiguration of the Maritime Task Force vessels from 18 to 12 during the second half of the reporting period
2,920 flight hours for maritime interdiction patrols and operational activities inside the area of maritime operations	2 019	Flight hours The lower output resulted from reduced requirements for helicopter operations, technical and weather restrictions and the lower number of helicopters stemming from the reduction in the number of Maritime Task Force vessels
4 reports of the Secretary-General to the Security Council	3	Reports to the Security Council and 1 letter to the President of the Security Council The lower number of reports was attributable to the change in the reporting cycle from every 3 months to every 4 months
Weekly meetings with senior Lebanese security officials on security issues and their impact on the local population in southern Lebanon	Yes	Weekly meetings

Liaison, communication and exchange of information with both parties, as and when required, on issues requiring immediate attention relating to the implementation of Security Council resolution 1701 (2006), in support of conflict resolution activities and public information activities	Yes	Regular meetings and contacts with both sides on a bilateral level, as well as during Tripartite Coordination Group meetings
Conduct of a minimum of 4 joint trainings at the sector level and 6 joint trainings at the Force level of UNIFIL and Lebanese Armed Forces military personnel on the coordination of tactical operations and crisis management, including field training and command post exercises	6 3	Joint training exercises at the sector level Joint training exercises at the Force level In addition: 3 command post exercises at the Force headquarters level, battalion exercises with the cooperation of the Lebanese Armed Forces and 5 seminars/lectures on coordination/partnership
Provision, on a monthly basis, of secretariat support services for the meetings of the Tripartite Coordination Group	Yes	For 10 Tripartite Coordination Group meetings and 4 Blue Line subcommittee meetings
Weekly liaison and coordination meetings with local authorities/community representatives and civic associations/partner organizations on assistance in conflict resolution and confidence-building initiatives, and on progress towards stability at the local level	560	Meetings weekly and as needed with local authorities
Meetings on a weekly and as needed basis with senior-level Lebanese authorities, diplomatic representatives and United Nations offices and agencies on improving the understanding of the mandate and role of UNIFIL	Yes	Meetings weekly and as needed meetings with senior officials of the Government of Lebanon, local Lebanese authorities, civil society associations and diplomatic representatives in Beirut regarding UNIFIL operations in southern Lebanon In addition: Daily meetings with the Office of the United Nations Special Coordinator for Lebanon (including the Resident Coordinator/Humanitarian Coordinator) and weekly liaison with other relevant United Nations offices
Briefings to Member States and donor countries, as and when required, on UNIFIL operational issues	Yes	Briefings for 325 representatives of Member States' delegations on UNIFIL operational issues In addition: 4 briefings at Headquarters with Security Council members; meetings, as needed, with troop-contributing countries and Security Council members in Beirut; and monthly meetings in donor forums

Monthly meetings with women's organizations, local government officials, the media and other civil society partners on the evaluation and enhancement of the contribution of women to confidence-building initiatives and on the inclusion of gender perspectives in policy decisions	20	Meetings with women's organizations and civil society groups on conflict resolution and confidence-building
Daily provision of information on UNIFIL to the media and facilitation in the access of the media to UNIFIL activities and operations	Yes	Information provided to local and international media on a daily basis; assistance provided to journalists on media briefings; facilitation of 250 media visits throughout the area of operations; and the conduct of 200 interviews of UNIFIL senior management and spokespersons
Daily monitoring and analyses of the media coverage on UNIFIL, weekly update of the UNIFIL website and production of public information products, including issue-specific information campaigns; production and distribution of audio and video materials for television and radio, including 20,000 copies of a bimonthly magazine in English and Arabic covering the activities of UNIFIL, daily morning and afternoon news round-ups, daily summary of Arabic media, regular (as needed) press releases updating the media on UNIFIL activities, daily gathering of video material for weekly production and distribution to the visual media	11	Television spots comprising 10 two-minute spots and one 20-minute spot entitled "Journey through UNIFIL"
	500	DVDs of the two-minute television spots on the "Journey through UNIFIL"
	400	DVDs of the 20-minute television spot on the "Journey through UNIFIL"
	1 100	DVDs of a 20-minute documentary entitled "UNIFIL: one year after 1701"
	100	DVDs of a documentary entitled "In the cause of peace"
	250	Daily press summaries, including daily morning and evening news round-ups
	45	Weekly reviews and weekly/monthly reports on news events
	7	Information campaigns, including photo and video exhibitions of UNIFIL activities
	20 000	Copies for each of 3 issues of <i>Al Janoub</i> magazine in English and Arabic
		The establishment of the UNIFIL website was not completed owing to delays in the recruitment of public information staff. The website is expected to be operational in English and Arabic during the 2008/09 period

Coordination of demining operations with the Lebanese National Demining Office and the United Nations Mine Action Coordination Centre in southern Lebanon on mine-clearance activities, including the provision of maps and transfer of information on mine clearance between the Centre and the Israel Defense Forces	Yes	Through weekly operational planning and coordination meetings; 15 UNIFIL teams, in coordination with the United Nations Mine Action Coordination Centre, cleared a total of 291,936 square metres and destroyed a total of 3,416 cluster bombs, 685 unexploded ordnance and 217 mines; mine-clearance activities coordinated between UNIFIL clearance teams and civilian clearance companies along the Blue Line in support of the pilot project on the marking of the Blue Line; maps and technical strike data were not made available to UNIFIL and the United Nations Mine Action Coordination Centre
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Expected accomplishment 1.2: normalization of the authority of the Government of Lebanon in southern Lebanon

<i>Planned indicators of achievement</i>	<i>Actual indicators of achievement</i>	
Functioning of all local government offices in southern Lebanon	Achieved. All municipalities in southern Lebanon functioning	
Provision of public services, including health, education and cultural activities, in all communities in southern Lebanon	Health, education and cultural services provided by the Government as well as by religious associations and non-governmental organizations (NGOs)	
<i>Planned outputs</i>	<i>Completed (number or yes/no)</i>	<i>Remarks</i>
Weekly liaison meetings with local authorities and monthly meetings with the Lebanese authorities at the central level on the extension of the authority of the Lebanese Government in southern Lebanon	Yes	Weekly high-level meetings with senior Lebanese officials and with local authorities at the working level
Weekly meetings and facilitation through support of initiatives and projects for local authorities on the enhancement of their standing among communities in southern Lebanon	Yes	Average of 3 meetings per week
Biweekly meetings with local and international non-governmental organizations on the coordination of assistance and advice on the extension of Government authority and discharge of local governance responsibilities	30	Meetings with international and local NGOs
Implementation of 27 quick-impact projects in support of relief activities and on the restoration of basic community infrastructure in southern Lebanon	25	Quick-impact projects The lower output was attributable to the higher average cost of projects resulting from increases in the cost of fuel and building materials

Advice and guidance to the Office of the Personal Representative of the Secretary-General for southern Lebanon, other United Nations offices, agencies, funds and programmes, diplomatic representatives and non-governmental organizations on the coordination of humanitarian assistance to the local population	Yes	Through regular meetings between UNIFIL and the Office of the United Nations Special Coordinator for Lebanon at the working and principal levels; exchanges with United Nations agencies, diplomatic representatives and NGOs as and when requested/required at the working and principal levels; and 52 United Nations inter-agency coordination meetings on the coordination of humanitarian assistance
Advice to local authorities, as and when required, on gender-sensitive approaches related to the participation of women in local governance structures	Yes	Through periodic meetings with local authorities on gender issues and monthly meetings with community steering committees that include civil society groups, women's groups and representatives of women's associations and cooperatives to discuss public administration and public service issues
Public information campaigns (through leaflets published every quarter in quantities of up to 25,000, the maintenance of an updated website, the issuance of regular press releases, two hours of radio production each week, one hour of video production each week), including the development of a community outreach programme for the local population, particularly communities in the UNIFIL area of operations, to promote confidence-building and conflict resolution	Yes	Through promotional items with the logo of UNIFIL and the Lebanese flag for public information campaigns and outreach activities, including 5,000 T-shirts, 4,000 baseball caps, 8,000 pens, 4,000 colour pencils, 4,000 pencil cases, 4,000 notebooks and 4,000 coffee mugs No leaflets were published owing to delays in the establishment of the Military Community Outreach Unit In addition: Issuance of 150 press kits, 100 press releases and press statements and the distribution of the <i>Al Janoub</i> magazine and UNIFIL video productions The production of radio and video broadcasts and the establishment of the website were not completed owing to delays in the recruitment of public information staff and in the procurement of video equipment

Component 2: support

12. During the reporting period, the support component provided effective and efficient logistical, administrative and security services in support of the implementation of the mandate of the Force. Support was provided to an average strength of 12,806 military contingents and to the civilian staffing of 306 international (including temporary positions) and 589 national staff. The range of support comprised all support services, including the implementation of conduct and discipline and HIV/AIDS programmes, budget and finance, personnel administration, training, contract management, health care, maintenance and construction of office and accommodation facilities, information technology and communications, air and naval operations, surface transport operations and supply and resupply operations, as well as the provision of security services Force-wide.

Expected accomplishment 2.1: effective and efficient logistical, administrative and security support to the Force

<i>Planned indicators of achievement</i>	<i>Actual indicators of achievement</i>
Deployment of 100 per cent of international and national staff by June 2008	Deployment of 73 per cent of international staff (average of 306 out of 417 approved posts and temporary positions), 29 per cent for National Officers (average of 7 out of 24 approved posts) and 69 per cent of national General Service staff (average of 582 out of 847 approved posts); the higher vacancy rates resulted from delays in the recruitment process owing to a limited pool of suitable candidates in certain occupational groups, competition with other missions for available candidates and the reluctance of other offices to release selected staff
Completion of the remaining 40 per cent of 6 engineering projects and security-related infrastructure projects by June 2008	4 of the 6 engineering projects completed by June 2008, with 2 projects scheduled for completion in the 2008/09 period
Completion of the remaining 67 per cent of the refurbishment of the Force headquarters in Naqoura	Achieved
<i>Planned outputs</i>	<i>Completed (number or yes/no)</i> <i>Remarks</i>

Service improvements

Completion of 40 per cent of 6 engineering projects and security-related infrastructure projects	No	4 of 6 engineering projects completed by June 2008, with 2 projects scheduled for completion in the 2008/09 period
Completion of the refurbishment of the Force headquarters at Naqoura	Yes	The refurbishment plan was modified and completed based on the decision to acquire land adjacent to Force headquarters for its expansion

Military, police and civilian personnel

Emplacement, rotation and repatriation of an average of 14,382 military contingent personnel	12 806	Military contingent personnel (average strength)
Verification, monitoring and inspection of contingent-owned equipment and self-sustainment capabilities of 47 military contingent units	Yes	For 34 land-based units The lower output was attributable to the fact that the self-sustainment capabilities for 13 units of the Maritime Task Force were based on information provided by the Maritime Task Force headquarters instead of on physical inspections by UNIFIL staff
Conduct of 94 inspections on operational readiness	Yes	63 operational readiness inspections for 37 land-based units

Supply and storage of 12,319 tons of rations, 378,800 combat ration packs and 850,000 litres of water for an average strength of 12,523 military contingent personnel (excluding military personnel in the Maritime Task Force and the Strategic Military Cell) in 63 military positions	11 040	Tons of rations
	42 280	Combat ration packs
	1 058 400	Litres of water for an average strength of 10,850 military contingent personnel (excluding military personnel in the Maritime Task Force and the Strategic Military Cell at headquarters) in 63 military positions
Administration of 1,288 civilian staff, comprising 417 international staff and 871 national staff, including temporary positions		The lower utilization of combat ration packs was attributable to delays in the extension of the global systems contract; the higher utilization of litres of water resulted from the increase in the number of reserve days from 14 to 21 days
	306	International staff (average strength)
		The lower number resulted from delays in the recruitment process, owing to a limited pool of suitable candidates in certain occupational groups, competition with other peacekeeping missions for qualified candidates and the reluctance of some offices to release their staff upon selection
	589	National staff (average strength)
Implementation of a conduct and discipline programme for all military and civilian personnel, including training, prevention, monitoring and recommendations on disciplinary actions		The lower number was attributable to difficulties in identifying suitable candidates, including for Language Assistant posts
	4	Temporary positions (average strength)
		The lower number resulted from a limited pool of suitable candidates
	Yes	Through induction training on conduct and discipline for 366 UNIFIL personnel (176 military contingents, 74 international staff and 116 national staff) and briefings for a total number of 365 UNIFIL personnel (202 military contingents, 98 international staff and 65 national staff)
Facilities and infrastructure		
Maintenance and repair of 63 military positions	63	Military positions
Maintenance of 100 km of access roads to various military positions and camp sites	100	Kilometres of access roads
Maintenance and repair of helipads at 21 locations	21	Helipads in 21 locations

Refurbishment of the Force headquarters in Naqoura	Yes	Including the construction of staff officers' residential and office accommodation, cafeteria and offices for civilian personnel, and ground works/road works within the mission headquarters
Operation and maintenance of 11 United Nations-owned water purification plants in 8 locations	10	United Nations-owned water purification plants The lower output resulted from the replacement of 1 water purification plant with a containerized purification plant from Force headquarters
Operation, maintenance and repair of 296 United Nations-owned generators	267	United Nations-owned generators The lower output resulted from the acquisition of 18 of 34 planned generators, based on the results of a reassessment of power requirements in various positions/locations
Provision of water supply for general use for an average strength of 12,523 military contingent personnel	Yes	For an average strength of 12,806 personnel
Sewage collection and disposal from 63 military positions	Yes	
Maintenance and renovation of storage facilities for fuel and lubricants for generators, vehicles and helicopters in 120 locations	100	Storage facilities The lower output resulted from the determination of Force requirements
Supply and storage of 22.9 million litres of diesel fuel for United Nations-owned and contingent-owned generators	17	Million litres The lower output was attributable to delays in the deployment of generators and in the completion of infrastructure projects and to reduced requirements resulting from the repatriation of 3 contingents
Ground transportation		
Operation and maintenance of 875 United Nations-owned vehicles, including 85 armoured vehicles, in 10 workshops in 7 locations	1 024	United Nations-owned vehicles, including 93 armoured vehicles, in 10 workshops in 7 locations The higher number resulted from the acquisition of additional vehicles, including 50 4 x 4 vehicles and 8 armoured vehicles, and the inclusion of vehicles that were undergoing the write-off process
Supply and storage of 7.7 million litres of fuel and lubricants for ground transportation	9.8	Million litres The higher output resulted from the operation of a larger vehicle fleet (1,024 against the budgeted 875)
Provision of 16 drivers/operators training workshops for all types of vehicles for a minimum of 100 drivers/operators	16	Training workshops for various types of vehicles for 198 drivers/operators

Air transportation

Operation and maintenance of 9 rotary-wing aircraft, comprising 8 military aircraft and 1 commercial aircraft	8	Military aircraft
	1	Commercial aircraft
Supply of 992,250 litres of aviation fuel	1 200 000	Litres
The higher output resulted from the operation of daily shuttle flights to and from Beirut for UNIFIL personnel, owing to the fragile security situation		

Communications

Operation and maintenance of a communications network consisting of 8 satellite Earth stations, 28 telephone exchanges, 102 VHF repeater stations, 1,094 two-way radios and digital microwave links	8	Satellite Earth stations
	28	Telephone exchanges
	83	VHF repeater stations
	1 374	Two-way radios
The lower number of VHF repeater stations resulted from the write-off/disposal of obsolete units during the period		

Information technology

Operation and maintenance of local and wide area networks of 1,544 desktop computers, 227 laptop computers, 71 servers, 162 digital senders and 395 printers in the UNIFIL area of operations, including UNIFIL House in Beirut	2 006	Desktop computers
	379	Laptop computers
	88	Servers
	151	Digital senders
	550	Printers
The higher number of information technology equipment resulted from the arrival of new contingents/battalions, the reorganization within the sector headquarters and the establishment of crisis rooms		

Medical

Operation and maintenance of 19 level-I, 2 level-II and 1 basic-level medical facilities for all mission personnel and for local civilian population in emergency cases	19	Level-I medical facilities
	2	Level-II medical facilities
	1	Basic-level medical facility
Maintenance of mission-wide land and air evacuation arrangements for all UNIFIL locations	Yes	

Operation and maintenance of HIV voluntary confidential counselling and testing facilities for all mission personnel	No	50 peer facilitators trained in promoting voluntary counselling and testing
HIV sensitization programme for all personnel, including peer education	Yes	Through HIV/AIDS induction training sessions for 467 Force personnel, HIV/AIDS mandatory orientation sessions for 307 military and 205 civilian personnel, and the training of 83 HIV/AIDS peer educators
Security		
Provision of 24-hour close protection to senior mission staff and visiting high-level officials	Yes	For high-level officials visiting the mission; close protection of the Force Commander was provided by his national contingent
Conduct of 12 security training exercises and 2 fire drills for 1,284 staff	12	Security training exercises In addition: 1 exercise per day on security and crisis management, weekly exercises to check staff compliance to communications and radio procedures and evacuation exercises every 3 months
Strengthening of the emergency communication system for all civilian staff through the establishment of a radio room that is manned on a 24-hour basis and is dedicated for civilian staff use. Appropriate VHF channels will be allocated to provide continuous communications capacity in the event of a crisis	Yes	The UNIFIL Security Operations Centre, which is manned on a 24-hour basis, was established and integrated into the Joint Operations Centre
Improvement of the existing Zone Warden system for international civilian staff and implementation of a Zone Warden system for national staff	Yes	A national staff zone warden system and a national relocation plan fully implemented through the creation of a national staff security database, which includes information on their eligible dependants
Evaluation and update of the security plan for southern Lebanon to reflect the evolving operational environment	Yes	Security plan updated in May 2008
Development of amended country-specific minimum operating security standards and country-specific minimum operating residential security standards to reflect the evolving operational environment	Yes	Minimum operating security standards adopted by the South Litani Security Management Team; draft minimum operating residential security standards prepared for presentation to the South Litani Security Management Team

Establishment of a security database for the compilation of information on the location of staff and their families for security, movement control and evacuation purposes for UNIFIL personnel travelling/residing north of the Litani River	Yes	Security database on information on international and national staff was fully operational; UNIFIL staff residing in Beirut have been fully integrated in the North Litani evacuation plan
Compilation of information for the establishment of a Geographical Information System database	Yes	Security Operations Centre database established to locate staff residences on maps
Implementation of a special investigation capacity on a round-the-clock basis for the investigation of incidents involving UNIFIL staff or property	Yes	A Security Investigations Unit with 4 personnel established to provide round-the-clock capacity for the investigation of incidents involving UNIFIL staff or property

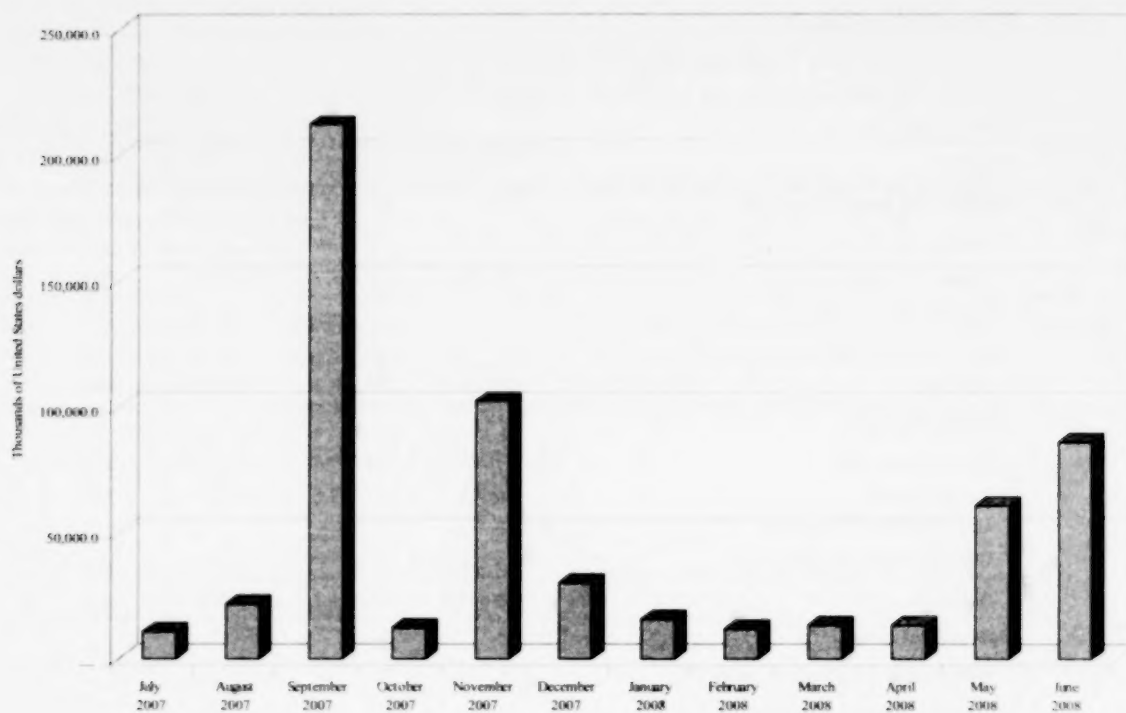
III. Resource performance

A. Financial resources

(Thousands of United States dollars. Budget year is from 1 July 2007 to 30 June 2008.)

Category	Apportionment (1)	Expenditure (2)	Variance	
			Amount (3)=(1)-(2)	Percentage (4)=(3)-(1)
Military and police personnel				
Military observers	—	—	—	—
Military contingents	375 536.2	298 188.3	77 347.9	20.6
United Nations police	—	—	—	—
Formed police units	—	—	—	—
Subtotal	375 536.2	298 188.3	77 347.9	20.6
Civilian personnel				
International staff	67 288.3	50 460.4	16 827.9	25.0
National staff	40 701.9	27 395.6	13 306.3	32.7
United Nations Volunteers	—	—	—	—
General temporary assistance	1 429.6	875.2	554.4	38.8
Subtotal	109 419.8	78 731.2	30 688.6	28.0
Operational costs				
Government-provided personnel	—	—	—	—
Civilian electoral observers	—	—	—	—
Consultants	461.4	84.3	377.1	81.7
Official travel	758.8	995.6	(236.8)	(31.2)
Facilities and infrastructure	79 866.8	72 785.9	7 080.9	8.9
Ground transportation	11 687.0	17 074.8	(5 387.8)	(46.1)
Air transportation	7 182.7	8 442.0	(1 259.3)	(17.5)
Naval transportation	86 627.0	71 820.0	14 807.0	17.1
Communications	16 484.2	18 663.1	(2 178.9)	(13.2)
Information technology	4 365.3	4 829.6	(464.3)	(10.6)
Medical	8 020.2	6 637.4	1 382.8	17.2
Special equipment	6 234.2	5 248.2	986.0	15.8
Other supplies, services and equipment	6 443.2	7 588.6	(1 145.4)	(17.8)
Quick-impact projects	500.0	500.0	—	—
Subtotal	228 630.8	214 669.5	13 961.3	6.1
Gross requirements	713 586.8	591 589.0	121 997.8	17.1
Staff assessment income	11 871.5	9 168.3	2 703.2	22.8
Net requirements	701 715.3	582 420.7	119 294.6	17.0
Voluntary contributions in kind (budgeted)	—	—	—	—
Total requirements	701 715.3	582 420.7	119 294.6	17.1

B. Monthly expenditure pattern



13. Higher expenditures in September and November 2007 and June 2008 were attributable mainly to the reimbursement of troop-contributing countries for troop costs, contingent-owned equipment and self-sustainment.

C. Other income and adjustments

(Thousands of United States dollars)

Category	Amount
Interest income	17 211.7
Other/miscellaneous income	1 043.8
Voluntary contributions in cash	—
Prior-period adjustments	(2.0)
Cancellation of prior-period obligations	14 040.2
Total	32 293.7

D. Expenditure for contingent-owned equipment: major equipment and self-sustainment

(Thousands of United States dollars)

<i>Category</i>	<i>Expenditure</i>
Major equipment	
Military contingents	69 010.1
Subtotal	69 010.1
Self-sustainment	
Facilities and infrastructure	26 555.2
Communications	9 213.4
Medical	5 476.5
Special equipment	5 175.6
Subtotal	46 420.7
Total	115 430.8

<i>Mission factors</i>	<i>Percentage</i>	<i>Effective date</i>	<i>Last review date</i>
A. Applicable to Mission area			
Extreme environmental condition factor	0.6	11 August 2006	22 March 2007
Intensified operational condition factor	0.8	11 August 2006	22 March 2007
Hostile action/forced abandonment factor	3.1	1 July 2007	23 October 2007
B. Applicable to home country			
Incremental transportation factor	0.0-4.0		

E. Value of non-budgeted contributions

(Thousands of United States dollars)

<i>Category</i>	<i>Actual value</i>
Status-of-forces agreement ^a	1 292.1
Voluntary contributions in kind (non-budgeted) ^b	909.2
Total	2 201.3

^a Relates to premises provided by the host Government.

^b Relates to the donation of a contingent camp, including accommodation facilities and related equipment, provided by the Government of Qatar.

IV. Analysis of variances¹

	<i>Variance</i>	
Military contingents	\$77 347.9	20.6%

14. The unspent balance was attributable mainly to the delayed deployment of military contingent personnel (average vacancy rate of 14.6 per cent against the delayed deployment factor of 4 per cent in the budget), resulting in unutilized balances for reimbursements for troop costs and contingent-owned equipment, travel, recreational leave allowances and rations.

	<i>Variance</i>	
International staff	\$16 827.9	25.0%

15. The unutilized balance was attributable to delays in the recruitment of international staff, owing to the limited pool of candidates for certain occupational groups, competition with other missions for available candidates and the reluctance of other offices to release staff. This resulted in an actual vacancy rate of 26 per cent compared with the delayed recruitment factor of 10 per cent in the budget.

	<i>Variance</i>	
National staff	\$13 306.3	32.7%

16. The variance under this heading was attributable to delays in the recruitment of national staff, owing to difficulties in identifying suitable candidates, including for Language Assistant posts. This resulted in an actual vacancy rate of 32 per cent compared with the delayed recruitment factor of 10 per cent in the budget.

	<i>Variance</i>	
General temporary assistance	\$554.4	38.8%

17. The unspent balance was attributable to delays in the recruitment of staff, owing to a limited pool of suitable candidates.

	<i>Variance</i>	
Consultants	\$377.1	81.7%

18. The unutilized balance resulted mainly from the fact that the services of three consultants for border control and customs issues were not requested by the Government of Lebanon.

	<i>Variance</i>	
Official travel	(\$236.8)	(31.2%)

19. The variance under this heading was attributable to increased requirements for within-mission travel of contingent personnel, for travel related to the supervision of

¹ Resource variance amounts are expressed in thousands of United States dollars. Analysis is provided for variances of at least plus or minus 5 per cent or \$100,000.

contingent rotations and for the escort of medically evacuated and deceased personnel, for which provisions had not been made in the budget.

	<i>Variance</i>	
Facilities and infrastructure	\$7 080.9	8.9%

20. The unspent balance was attributable primarily to reduced requirements for reimbursements for contingent-owned equipment, owing to the delayed deployment of military contingents as well as reduced requirements for construction services, resulting from delays in the procurement process and the refusal of contractors to finalize contracts due to increases in the costs of construction materials. In addition, unspent balances resulted from the fact that the construction of camps for the Observer Group Lebanon was not carried out owing to the Group's use of existing camps that had been vacated by three contingents.

21. The unutilized balances were partly offset by additional requirements resulting from: (a) the increase in fuel costs (actual average cost of \$0.89 per litre compared with the budgeted cost of \$0.55 per litre); (b) exchange rate fluctuations related to the acquisition of prefabricated buildings and the settlement of outstanding freight cost charges related to the previous period; (c) additional equipment for new residential and office accommodation at the expanded Force headquarters; (d) additional requirements for security and safety equipment for which no provision had been made and as a result of the need to enhance the security of the Force following the fatal attack on UNIFIL peacekeepers in June 2007; and (e) additional requirements for alteration and renovation services related to the rapid deployment of military contingents, for which no provision was made.

	<i>Variance</i>	
Ground transportation	(\$5 387.8)	(46.1%)

22. The additional requirements were attributable primarily to the acquisition of 8 armoured vehicles and 50 4 x 4 vehicles, resulting from the evaluation of the Force's security requirements, particularly in the light of recent attacks on peacekeepers. The additional requirements were also attributable to the increase in the cost of fuel from \$0.55 per litre in the budget compared with the actual average cost of \$0.89 per litre.

	<i>Variance</i>	
Air transportation	(\$1 259.3)	(17.5%)

23. The additional requirements were attributable primarily to the increase in the cost of aviation fuel (actual average of \$0.82 per litre compared with \$0.53 per litre budgeted), increased flight hours (2,453 against 2,180 budgeted) and the related increase in fuel consumption resulting from the operation of shuttle flights for the transport of UNIFIL personnel to and from Beirut owing to the fragile security situation in the mission area.

	<i>Variance</i>	
Naval transportation	\$14 807.0	17.1%

24. The unspent balance was attributable to the deployment of a lower number of naval vessels and helicopters by the Maritime Task Force and the subsequent reconfiguration of the Maritime Task Force in March 2008.

	<i>Variance</i>	
Communications	(\$2 178.9)	(13.2%)

25. The additional requirements were attributable mainly to the acquisition of electronic countermeasures equipment/jammers for installation in additional 4 x 4 vehicles, equipment to support the requirements of the Observer Group Lebanon and the settlement of outstanding freight charges related to the previous period for equipment transferred from the strategic deployment stocks. The additional requirements were partly offset by reduced requirements for reimbursements for self-sustainment owing to the repatriation of three contingents and the delayed deployment of additional/replacement contingents.

	<i>Variance</i>	
Information technology	(\$464.3)	(10.6%)

26. The variance was attributable mainly to the acquisition of Cisco wireless equipment for the extension of network access to wireless Internet Protocol devices and voice-and-video-enabled devices to enhance connectivity in the mission area, and to requirements for additional equipment for the Observer Group Lebanon.

	<i>Variance</i>	
Medical	\$1 382.8	17.2%

27. The unspent balance resulted primarily from the early repatriation of three contingents and the delayed deployment of additional/replacement contingents and reduced requirements for medical services owing to the lower number of medical/casualty evacuations and to fewer hospitalizations and reduced demand for medical services. The unspent balance was also attributable to reduced requirements for medical supplies owing to the lower average number of military and civilian personnel.

	<i>Variance</i>	
Special equipment	\$986.0	15.8%

28. The unutilized balance was attributable mainly to reduced requirements for reimbursement for self-sustainment resulting from the early repatriation of three contingents and the delayed deployment of additional/replacement contingents.

	<i>Variance</i>	
Other supplies, services and equipment	(\$1 145.4)	(17.8%)

29. The additional requirements were attributable primarily to loss on exchange, which were partly offset by reduced requirements for freight and related costs.

V. Actions to be taken by the General Assembly

30. The actions to be taken by the General Assembly in connection with the financing of UNIFIL are:

(a) To decide on the treatment of the unencumbered balance of \$121,997,800 with respect to the period from 1 July 2007 to 30 June 2008;

(b) To decide on the treatment of other income for the period ended 30 June 2008 amounting to \$32,293,700 from interest income (\$17,211,700), other/miscellaneous income (\$1,043,800) and cancellation of prior-period obligations (\$14,040,200), offset by prior-period adjustments (\$2,000).